

By: \_\_\_\_\_

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5.B. No. 291

A BILL TO BE ENTITLED

AN ACT

relating to the index of court fees and costs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 101.061, Government Code, is amended to read as follows:

Sec. 101.061. DISTRICT COURT FEES AND COSTS. The clerk of a district court shall collect fees and costs as follows:

(1) filing fee in action with respect to a fraudulent court record or fraudulent lien or claim filed against property (Sec. 12.005, Civil Practice and Remedies Code) . . . \$15;

(2) fee for service of notice of action with respect to a fraudulent court record or fraudulent lien or claim filed against property (Sec. 12.005, Civil Practice and Remedies Code) . . . not to exceed \$20, if notice delivered in person, or the cost of postage, if service is by registered or certified mail;

(3) court cost in certain civil cases to establish and maintain an alternative dispute resolution system, if authorized by the county commissioners court (Sec. 152.004, Civil Practice and Remedies Code) . . . not to exceed \$10;

(4) appellate judicial system filing fees for:

(A) First or Fourteenth Court of Appeals District (Sec. 22.2021, Government Code) . . . not more than \$5;

(B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . not more than \$5;

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1 (C) Fourth Court of Appeals District (Sec.  
2 22.2051, Government Code) . . . not more than \$5;

3 (D) Fifth Court of Appeals District (Sec.  
4 22.2061, Government Code) . . . not more than \$5; and

5 (E) Thirteenth Court of Appeals District (Sec.  
6 22.2141, Government Code) . . . not more than \$5;

7 (5) additional filing fees:

8 (A) for each suit filed for insurance contingency  
9 fund, if authorized by the county commissioners court (Sec. 51.302,  
10 Government Code) . . . not to exceed \$5;

11 (B) for each civil suit filed, for court-related  
12 purposes for the support of the judiciary and for civil legal  
13 services to an indigent:

14 (i) for family law cases and proceedings as  
15 defined by Section 25.0002, Government Code (Sec. 133.151, Local  
16 Government Code) . . . \$45; or

17 (ii) for any case other than a case  
18 described by Subparagraph (i) (Sec. 133.151, Local Government Code)  
19 . . . \$50;

20 (C) to fund the improvement of Dallas County  
21 civil court facilities, if authorized by the county commissioners  
22 court (Sec. 51.705, Government Code) . . . not more than \$15; and

23 (D) on the filing of any civil action or  
24 proceeding requiring a filing fee, including an appeal, and on the  
25 filing of any counterclaim, cross-action, intervention,  
26 interpleader, or third-party action requiring a filing fee, to fund  
27 civil legal services for the indigent: /

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1 (i) for family law cases and proceedings as  
2 defined by Section 25.0002, Government Code (Sec. 133.152, Local  
3 Government Code) . . . \$5; or

4 (ii) for any case other than a case  
5 described by Subparagraph (i) (Sec. 133.152, Local Government Code)  
6 . . . \$10;

7 (6) for filing a suit, including an appeal from an  
8 inferior court:

9 (A) for a suit with 10 or fewer plaintiffs (Sec.  
10 51.317, Government Code) . . . \$50;

11 (B) for a suit with at least 11 but not more than  
12 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

13 (C) for a suit with at least 26 but not more than  
14 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

15 (D) for a suit with at least 101 but not more than  
16 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

17 (E) for a suit with at least 501 but not more than  
18 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

19 (F) for a suit with more than 1,000 plaintiffs  
20 (Sec. 51.317, Government Code) . . . \$200;

21 (7) for filing a cross-action, counterclaim,  
22 intervention, contempt action, motion for new trial, or third-party  
23 petition (Sec. 51.317, Government Code) . . . \$15;

24 (8) for issuing a citation or other writ or process not  
25 otherwise provided for, including one copy, when requested at the  
26 time a suit or action is filed (Sec. 51.317, Government Code) . . .

27 \$8;

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1           (9) for records management and preservation (Sec.  
2 51.317, Government Code) . . . \$10;  
3           (10) for issuing a subpoena, including one copy (Sec.  
4 51.318, Government Code) . . . \$8;  
5           (11) for issuing a citation, commission for  
6 deposition, writ of execution, order of sale, writ of execution and  
7 order of sale, writ of injunction, writ of garnishment, writ of  
8 attachment, or writ of sequestration not provided for in Section  
9 51.317, or any other writ or process not otherwise provided for,  
10 including one copy if required by law (Sec. 51.318, Government  
11 Code) . . . \$8;  
12           (12) for searching files or records to locate a cause  
13 when the docket number is not provided (Sec. 51.318, Government  
14 Code) . . . \$5;  
15           (13) for searching files or records to ascertain the  
16 existence of an instrument or record in the district clerk's office  
17 (Sec. 51.318, Government Code) . . . \$5;  
18           (14) for abstracting a judgment (Sec. 51.318,  
19 Government Code) . . . \$8;  
20           (15) for approving a bond (Sec. 51.318, Government  
21 Code) . . . \$4;  
22           (16) for a certified copy of a record, judgment,  
23 order, pleading, or paper on file or of record in the district  
24 clerk's office, including certificate and seal, for each page or  
25 part of a page (Sec. 51.318, Government Code) . . . \$1;  
26           (17) for a noncertified copy, for each page or part of  
27 a page (Sec. 51.318, Government Code) . . . not to exceed \$1; <sup>4/5</sup>



1                   (18) jury fee (Sec. 51.604, Government Code) . . .  
2 \$30;

3                   (19) for filing a report of divorce or annulment (Sec.  
4 194.002, Health and Safety Code) . . . \$1;

5                   (20) for filing a suit in Comal County (Sec. 152.0522,  
6 Human Resources Code) . . . \$4;

7                   (21) additional filing fee for family protection on  
8 filing a suit for dissolution of a marriage under Chapter 6, Family  
9 Code, if authorized by the county commissioners court (Sec. 51.961,  
10 Government Code) . . . not to exceed \$15;

11                   (22) fee on filing a suit for dissolution of a marriage  
12 for services of child support department in Harris County, if  
13 authorized by the county commissioners court (Sec. 152.1074, Human  
14 Resources Code) . . . not to exceed \$12;

15                   (22-a) a child support service fee in Nueces County if  
16 ordered by the commissioners court and assessed by the court (Sec.  
17 152.1844, Human Resources Code) . . . not to exceed \$5 a month  
18 payable annually in advance;

19                   (22-b) a service fee to be paid by a person ordered by  
20 a district court to pay child or spousal support:

21                   (A) in Collin County if authorized by the  
22 juvenile board (Sec. 152.0492, Human Resources Code) . . . not to  
23 exceed \$2.50 added to first support payment each month;

24                   (B) in Johnson County if authorized by the  
25 juvenile board (Sec. 152.1322, Human Resources Code) . . . \$1.00  
26 added to first support payment each month; and

27                   (C) in Montague County (Sec. 152.1752, Human / 3/0

Resources Code) . . . \$1 if fee is ordered to be paid monthly, 50 cents if fee is ordered to be paid semimonthly or weekly;

(22-c) attorney's fees as an additional cost in Montague County on a finding of contempt of court for failure to pay child or spousal support if the contempt action is initiated by the probation department (Sec. 152.1752, Human Resources Code) . . . \$15;

(23) fee on filing a suit requesting an adoption in Montague County (Sec. 152.1752, Human Resources Code) . . . \$25;

(24) court cost on citation for contempt of court for failure to comply with child support order in Nueces County, if authorized by the commissioners court (Sec. 152.1844, Human Resources Code) . . . not to exceed \$10;

(25) fee on filing a suit for divorce in Orange County (Sec. 152.1873, Human Resources Code) . . . not less than \$5;

(26) court costs on citation for contempt of court in Orange County for failure to comply with a child support order or order providing for possession of or access to a child (Sec. 152.1873, Human Resources Code) . . . amount determined by district clerk;

(27) fee on filing a suit requesting an adoption in Orange County (Sec. 152.1874, Human Resources Code) . . . not less than \$25;

(28) fee on filing a suit requesting an adoption in Wichita County (Sec. 152.2496, Human Resources Code) . . . \$100;

(29) additional filing fee to fund the courthouse security fund, if authorized by the county commissioners court

1 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

2 (30) additional filing fee for filing documents not  
3 subject to certain filing fees to fund the courthouse security  
4 fund, if authorized by the county commissioners court (Sec.  
5 291.008, Local Government Code) . . . \$1;

6 (31) additional filing fee to fund the courthouse  
7 security fund in Webb County, if authorized by the county  
8 commissioners court (Sec. 291.009, Local Government Code) . . . not  
9 to exceed \$20;

10 (32) court cost in civil cases other than suits for  
11 delinquent taxes to fund the county law library fund, if authorized  
12 by the county commissioners court (Sec. 323.023, Local Government  
13 Code) . . . not to exceed \$35;

14 (33) when administering a case for the Rockwall County  
15 Court at Law (Sec. 25.2012, Government Code) . . . civil fees and  
16 court costs as if the case had been filed in district court;

17 (34) at a hearing held by an associate judge in Dallas  
18 County, a court cost to preserve the record, in the absence of a  
19 court reporter, by other means (Sec. 54.509, Government Code) . . .  
20 as assessed by the referring court or associate judge; ~~and~~

21 (35) at a hearing held by an associate judge in Duval  
22 County, a court cost to preserve the record (Sec. 54.1151,  
23 Government Code, as added by Chapter 1150, Acts of the 78th  
24 Legislature, Regular Session, 2003) . . . as imposed by the  
25 referring court or associate judge;

26 (36) court fees and costs, if ordered by the court, for 7/8  
27 a suit filed by an inmate in which an affidavit or unsworn

1 declaration of inability to pay costs is filed by the inmate (Sec.  
2 14.006, Civil Practice and Remedies Code). . . the lesser of:

3 (A) 20 percent of the preceding six months'  
4 deposits to the inmate's trust account administered by the Texas  
5 Department of Criminal Justice under Section 501.014, Government  
6 Code; or

7 (B) the total amount of court fees and costs;

8 (37) monthly payment for remaining court fees and  
9 costs after the initial payment for a suit in which an affidavit or  
10 unsworn declaration of inability to pay costs is filed by the inmate  
11 (Sec. 14.006, Civil Practice and Remedies Code). . . the lesser of:

12 (A) 10 percent of that month's deposit to the  
13 inmate's trust account administered by the Texas Department of  
14 Criminal Justice under Section 501.014, Government Code; or

15 (B) the total amount of court fees and costs that  
16 remain unpaid;

17 (38) the following costs not otherwise charged to the  
18 inmate under Section 14.006, Civil Practice and Remedies Code, if  
19 the inmate has previously filed an action dismissed as malicious or  
20 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

21 (A) expenses of service of process;

22 (B) postage; and

23 (C) transportation, housing, or medical care  
24 incurred in connection with the appearance of the inmate in the  
25 court for any proceeding; 8/9

26 (39) fee for performing a service:

27 (A) related to the matter of the estate of a

1 deceased person (Sec. 51.319, Government Code) . . . the same fee  
2 allowed the county clerk for those services;

3 (B) related to the matter of a minor (Sec.  
4 51.319, Government Code) . . . the same fee allowed the county  
5 clerk for the service;

6 (C) of serving process by certified or registered  
7 mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or  
8 constable is authorized to charge for the service under Section  
9 118.131, Local Government Code; and

10 (D) prescribed or authorized by law but for which  
11 no fee is set (Sec. 51.319, Government Code) . . . a reasonable fee;

12 (40) court costs, which may include expert witness  
13 fees in Travis County in an action in which the plaintiff prevails  
14 against an insurer for economic damages sustained by the plaintiff  
15 as a result of unfair discrimination (Sec. 544.054, Insurance Code)  
16 . . . court costs and reasonable and necessary expert witness fees;

17 (41) security deposit on filing, by any person other  
18 than the personal representative of an estate, an application,  
19 complaint, or opposition in relation to the estate, if required by  
20 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the  
21 proceeding;

22 (42) security deposit on filing, by any person other  
23 than the guardian, attorney ad litem, or guardian ad litem, an  
24 application, complaint, or opposition in relation to a guardianship  
25 matter, if required by the clerk (Sec. 622, Texas Probate Code)  
26 . . . probable cost of the guardianship proceeding; and

27 (43) fee for filing an additional petition for review

1 of an appraisal review board order relating to certain regulated  
2 property running through or operating in more than one county after  
3 the first petition for review relating to the same property is filed  
4 for a tax year (Sec. 42.221, Tax Code) . . . \$5.

5 SECTION 2. Section 101.081, Government Code, is amended to  
6 read as follows:

7 Sec. 101.081. STATUTORY COUNTY COURT FEES AND COSTS. The  
8 clerk of a statutory county court shall collect fees and costs as  
9 follows:

10 (1) court cost in certain civil cases to establish and  
11 maintain an alternative dispute resolution system, if authorized by  
12 the county commissioners court (Sec. 152.004, Civil Practice and  
13 Remedies Code) . . . not to exceed \$10;

14 (2) appellate judicial system filing fees:

15 (A) First or Fourteenth Court of Appeals District  
16 (Sec. 22.2021, Government Code) . . . not more than \$5;

17 (B) Second Court of Appeals District (Sec.  
18 22.2031, Government Code) . . . not more than \$5;

19 (C) Fourth Court of Appeals District (Sec.  
20 22.2051, Government Code) . . . not more than \$5;

21 (D) Fifth Court of Appeals District (Sec.  
22 22.2061, Government Code) . . . not more than \$5; and

23 (E) Thirteenth Court of Appeals District (Sec. <sup>b/11</sup>  
24 22.2141, Government Code) . . . not more than \$5;

25 (3) an official court reporter fee, County Court at  
26 Law No. 2 of Bexar County (Sec. 25.0172, Government Code) . . . \$3;

27 (4) a court reporter fee when testimony is taken in a

1 county court at law in McLennan County (Sec. 25.1572, Government  
2 Code) . . . \$3;

3 (5) a stenographer fee, if a record or part of a record  
4 is made:

5 (A) in a county court at law in Hidalgo County  
6 (Sec. 25.1102, Government Code) . . . \$20; and

7 (B) in a county court at law in Nolan County (Sec.  
8 25.1792, Government Code) . . . \$25;

9 (6) jury fee (Sec. 51.604, Government Code) . . . \$22;

10 (7) an additional filing fee:

11 (A) for each civil case filed to be used for  
12 court-related purposes for the support of the judiciary, if  
13 authorized by the county commissioners court (Sec. 51.702,  
14 Government Code) . . . \$40;

15 (B) to fund the improvement of Dallas County  
16 civil court facilities, if authorized by the county commissioners  
17 court (Sec. 51.705, Government Code) . . . not more than \$15; and

18 (C) for filing any civil action or proceeding  
19 requiring a filing fee, including an appeal, and on the filing of  
20 any counterclaim, cross-action, intervention, interpleader, or  
21 third-party action requiring a filing fee, to fund civil legal  
22 services for the indigent (Sec. 133.153, Local Government Code) <sup>11/12</sup>  
23 . . . \$5;

24 (8) for filing an application for registration of  
25 death (Sec. 193.007, Health and Safety Code) . . . \$1;

26 (9) fee for judge's services on an application for  
27 court-ordered mental health services (Sec. 574.031, Health and

1     Safety Code) . . . not to exceed \$50;

2             (10)   fee for prosecutor's services on an application  
3     for court-ordered mental health services (Sec. 574.031, Health and  
4     Safety Code) . . . not to exceed \$50;

5             (11)   for filing a suit in Comal County (Sec. 152.0522,  
6     Human Resources Code) . . . \$4;

7             (12)   additional filing fee to fund contingency fund  
8     for liability insurance, if authorized by the county commissioners  
9     court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

10            (13)   civil   court   actions   (Sec.   118.052,   Local  
11   Government Code):

12                (A)   filing of original action (Secs. 118.052 and  
13   118.053, Local Government Code):

14                    (i)   garnishment   after   judgment   (Sec.  
15   118.052, Local Government Code) . . . \$15; and

16                    (ii)   all   others   (Sec.   118.052,   Local  
17   Government Code) . . . \$40;

18                (B)   filing of action other than original (Secs.  
19   118.052 and 118.054, Local Government Code) . . . \$30; and

20                (C)   services rendered after judgment in original  
21   action (Secs. 118.052 and 118.0545, Local Government Code):

22                    (i)   abstract of judgment (Sec. 118.052, <sup>12</sup>/<sub>13</sub>  
23   Local Government Code) . . . \$5; and

24                    (ii)   execution, order of sale, writ, or  
25   other process (Sec. 118.052, Local Government Code) . . . \$5;

26                (14)   probate   court   actions   (Sec.   118.052,   Local  
27   Government Code):



(A) probate original action (Secs. 118.052 and 118.055, Local Government Code):

(i) probate of a will with independent executor, administration with will attached, administration of an estate, guardianship or receivership of an estate, or muniment of title (Sec. 118.052, Local Government Code) . . . \$40;

(ii) community survivors (Sec. 118.052, Local Government Code) . . . \$40;

(iii) small estates (Sec. 118.052, Local Government Code) . . . \$40;

(iv) declarations of heirship (Sec. 118.052, Local Government Code) . . . \$40;

(v) mental health or chemical dependency services (Sec. 118.052, Local Government Code) . . . \$40; and

(vi) additional, special fee (Secs. 118.052 and 118.064, Local Government Code) . . . \$5;

(B) services in pending probate action (Secs. 118.052 and 118.056, Local Government Code):

(i) filing an inventory and appraisal after the 120th day after the date of the initial filing of the action (Sec. 118.052, Local Government Code) . . . \$25;

(ii) approving and recording bond (Sec. <sup>13/14</sup> 118.052, Local Government Code) . . . \$3;

(iii) administering oath (Sec. 118.052, Local Government Code) . . . \$2;

(iv) filing annual or final account of estate (Sec. 118.052, Local Government Code) . . . \$25;

1 (v) filing application for sale of real or  
2 personal property (Sec. 118.052, Local Government Code) . . . \$25;  
3 and  
4 (vi) filing annual or final report of  
5 guardian of a person (Sec. 118.052, Local Government Code) . . .  
6 \$10;  
7 (C) adverse probate action (Secs. 118.052 and  
8 118.057, Local Government Code) . . . \$40; and  
9 (D) claim against estate (Secs. 118.052 and  
10 118.058, Local Government Code) . . . \$2;  
11 (15) other fees (Sec. 118.052, Local Government Code):  
12 (A) issuing document (Secs. 118.052 and 118.059,  
13 Local Government Code):  
14 (i) original document and one copy (Sec.  
15 118.052, Local Government Code) . . . \$4; and  
16 (ii) each additional set of an original and  
17 one copy (Sec. 118.052, Local Government Code) . . . \$4;  
18 (B) certified papers (Secs. 118.052 and 118.060,  
19 Local Government Code):  
20 (i) for the clerk's certificate (Sec.  
21 118.052, Local Government Code) . . . \$5; and  
22 (ii) a fee per page or part of a page (Sec. <sup>14/15</sup>  
23 118.052, Local Government Code) . . . \$1;  
24 (C) noncertified papers, for each page or part of  
25 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .  
26 \$1;  
27 (D) letters testamentary, letter of

1 guardianship, letter of administration, or abstract of judgment  
2 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;  
3 (E) safekeeping of wills (Secs. 118.052 and  
4 118.062, Local Government Code) . . . \$5;  
5 (F) mail service of process (Secs. 118.052 and  
6 118.063, Local Government Code) . . . same as sheriff; and  
7 (G) records management and preservation fee  
8 (Secs. 118.052, 118.0546, and 118.0645, Local Government Code)  
9 . . . \$5;  
10 (16) additional filing fee to fund the courthouse  
11 security fund, if authorized by the county commissioners court  
12 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;  
13 (17) additional filing fee for filing documents not  
14 subject to certain filing fees to fund the courthouse security  
15 fund, if authorized by the county commissioners court (Sec.  
16 291.008, Local Government Code) . . . \$1;  
17 (18) additional filing fee to fund the courthouse  
18 security fund in Webb County, if authorized by the county  
19 commissioners court (Sec. 291.009, Local Government Code) . . . not  
20 to exceed \$20;  
21 (19) court cost in civil cases other than suits for  
22 delinquent taxes to fund the county law library fund, if authorized<sup>13/6 RWC</sup>  
23 by the county commissioners court (Sec. 323.023, Local Government  
24 Code) . . . not to exceed \$35;  
25 (20) fee for deposit of a will with the county clerk  
26 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;  
27 (21) court cost for each special commissioner in an

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1 eminent domain proceeding (Sec. 21.047, Property Code) <sup>1</sup>as taxed by  
2 the court,        \$10 or more; ~~and~~

3           (22) fee for county attorney in a suit regarding a  
4 railroad company's failure to keep roadbed and right-of-way in  
5 proper condition (Art. 6327, Vernon's Texas Civil Statutes) . . .  
6 \$10;

7           (23) court fees and costs, if ordered by the court, for  
8 a suit filed by an inmate in which an affidavit or unsworn  
9 declaration of inability to pay costs is filed by the inmate (Sec.  
10 14.006, Civil Practice and Remedies Code) . . . the lesser of:

11               (A) 20 percent of the preceding six months'  
12 deposits to the inmate's trust account administered by the Texas  
13 Department of Criminal Justice under Section 501.014, Government  
14 Code; or

15               (B) the total amount of court fees and costs;

16           (24) monthly payment for remaining court fees and  
17 costs after the initial payment for a suit in which an affidavit or  
18 unsworn declaration of inability to pay costs is filed by the inmate  
19 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser  
20 of:

21               (A) 10 percent of that month's deposit to the  
22 inmate's trust account administered by the Texas Department of  
23 Criminal Justice under Section 501.014, Government Code; or

24               (B) the total amount of court fees and costs that  
25 remain unpaid;

26           (25) the following costs not otherwise charged to the  
27 inmate under Section 14.006, Civil Practice and Remedies Code, if

1 the inmate has previously filed an action dismissed as malicious or  
2 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

3 (A) expenses of service of process;

4 (B) postage; and

5 (C) transportation, housing, or medical care  
6 incurred in connection with the appearance of the inmate in the  
7 court for any proceeding;

8 (26) the official court reporter's fee taxed as costs  
9 in civil actions in a statutory county court:

10 (A) in Bexar County Courts at Law:

11 (i) Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12  
12 (Sec. 25.0172, Government Code) . . . taxed in the same manner as  
13 the fee is taxed in district court; and

14 (ii) No. 2 (Sec. 25.0172, Government Code)  
15 . . . \$3;

16 (B) in Galveston County (Sec. 25.0862,  
17 Government Code) . . . taxed in the same manner as the fee is taxed  
18 in civil cases in the district courts; and

19 (C) in Parker County (Sec. 25.1862, Government  
20 Code) . . . taxed in the same manner as the fee is taxed in civil  
21 cases in the district courts;

22 (27) a stenographer's fee as costs in each civil,  
23 criminal, and probate case in which a record is made by the official  
24 court reporter in a statutory county court in Nolan County (Sec.  
25 25.1792, Government Code) . . . \$25;

26 (28) in Brazoria County, in matters of concurrent  
27 jurisdiction with the district court, fees (Sec. 25.0222,

1 Government Code) . . . as prescribed by law for district judges  
2 according to the nature of the matter;

3 (29) in Nueces County, in matters of concurrent  
4 jurisdiction with the district court, with certain exceptions, fees  
5 (Sec. 25.1802, Government Code) . . . equal to those in district  
6 court cases;

7 (30) security deposit on filing, by any person other  
8 than the personal representative of an estate, an application,  
9 complaint, or opposition in relation to the estate, if required by  
10 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the  
11 proceeding;

12 (31) security deposit on filing, by any person other  
13 than the guardian, attorney ad litem, or guardian ad litem, an  
14 application, complaint, or opposition in relation to a guardianship  
15 matter, if required by the clerk (Sec. 622, Texas Probate Code)  
16 . . . probable cost of the guardianship proceeding;

17 (32) for a hearing or proceeding under the Texas  
18 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
19 costs (Secs. 571.017 and 571.018, Health and Safety Code) . . .  
20 reasonable compensation to the following persons appointed under  
21 the Texas Mental Health Code:

- 22 (A) attorneys;  
23 (B) physicians;  
24 (C) language interpreters;  
25 (D) sign interpreters; and  
26 (E) masters;

27 (33) for a hearing or proceeding under the Texas

1 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
2 costs (Sec. 571.018, Health and Safety Code):

3 (A) attorney's fees;

4 (B) physician examination fees;

5 (C) expense of transportation to a mental health  
6 facility or to a federal agency not to exceed \$50 if transporting  
7 within the same county and not to exceed the reasonable cost of  
8 transportation if transporting between counties;

9 (D) costs and salary supplements authorized  
10 under Section 574.031, Health and Safety Code; and

11 (E) prosecutors' fees authorized under Section  
12 574.031, Health and Safety Code;

13 (34) expenses of transporting certain patients from  
14 the county of treatment to a hearing in the county in which the  
15 proceedings originated (Sec. 574.008, Health and Safety Code) . . .  
16 actual expenses unless certain arrangements are made to hold the  
17 hearing in the county in which the patient is receiving services;

18 (35) expenses for expert witness testimony for an  
19 indigent patient (Sec. 574.010, Health and Safety Code) . . . if  
20 authorized by the court as reimbursement to the attorney ad litem,  
21 court-approved expenses; / 19/20

22 (36) fee for judge's services for holding a hearing on  
23 an application for court-ordered mental health services (Sec.  
24 574.031, Health and Safety Code) . . . as assessed by the judge, not  
25 to exceed \$50;

26 (37) expenses to reimburse judge for holding a hearing  
27 in a hospital or location other than the county courthouse (Sec.

1 574.031, Health and Safety Code) . . . reasonable and necessary  
2 expenses as certified;

3 (38) fee for services of a prosecuting attorney,  
4 including costs incurred for preparation of documents related to a  
5 hearing on an application for court-ordered mental health services  
6 (Sec. 574.031, Health and Safety Code) . . . as assessed by the  
7 judge, not to exceed \$50; and

8 (39) a fee not otherwise listed in this section that is  
9 required to be collected under Section 25.0008, Government Code  
10 (Sec. 25.0008, Government Code), in a county other than Brazos,  
11 Cameron, Ellis, Guadalupe, Harris, Henderson, Liberty, Moore,  
12 Nolan, Panola, Parker, Starr, Victoria, and Williamson . . . as  
13 prescribed by law relating to county judges' fees.

14 SECTION 3. Section 101.101, Government Code, is amended to  
15 read as follows:

16 Sec. 101.101. STATUTORY PROBATE COURT FEES AND COSTS. The  
17 clerk of a statutory probate court shall collect fees and costs as  
18 follows:

19 (1) court cost in certain civil cases to establish and  
20 maintain an alternative dispute resolution system, if authorized by  
21 the county commissioners court (Sec. 152.004, Civil Practice and <sup>2012</sup> Remedies Code) . . . not to exceed \$10;

22 (2) appellate judicial system filing fees:

23 (A) First or Fourteenth Court of Appeals District  
24 (Sec. 22.2021, Government Code) . . . not more than \$5;

25 (B) Second Court of Appeals District (Sec.  
26 22.2031, Government Code) . . . not more than \$5;  
27



1 (C) Fourth Court of Appeals District (Sec.  
2 22.2051, Government Code) . . . not more than \$5;

3 (D) Fifth Court of Appeals District (Sec.  
4 22.2061, Government Code) . . . not more than \$5; and

5 (E) Thirteenth Court of Appeals District (Sec.  
6 22.2141, Government Code) . . . not more than \$5;

7 (3) additional filing fees as follows:

8 (A) for certain cases to be used for  
9 court-related purposes for support of the judiciary, if authorized  
10 by the county commissioners court (Sec. 51.704, Government Code)  
11 . . . \$40;

12 (B) to fund the improvement of Dallas County  
13 civil court facilities, if authorized by the county commissioners  
14 court (Sec. 51.705, Government Code) . . . not more than \$15; and

15 (C) for filing any civil action or proceeding  
16 requiring a filing fee, including an appeal, and on the filing of  
17 any counterclaim, cross-action, intervention, interpleader, or  
18 third-party action requiring a filing fee to fund civil legal  
19 services for the indigent (Sec. 133.153, Local Government Code)  
20 . . . \$5;

21 (4) for filing an application for registration of 21/22  
22 death (Sec. 193.007, Health and Safety Code) . . . \$1;

23 (5) fee for judge's services on an application for  
24 court-ordered mental health services (Sec. 574.031, Health and  
25 Safety Code) . . . not to exceed \$50;

26 (6) fee for prosecutor's services on an application  
27 for court-ordered mental health services (Sec. 574.031, Health and

1 Safety Code) . . . not to exceed \$50;

2 (7) additional filing fee to fund contingency fund for  
3 liability insurance, if authorized by the county commissioners  
4 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

5 (8) probate court actions (Sec. 118.052, Local  
6 Government Code):

7 (A) probate original action (Secs. 118.052 and  
8 118.055, Local Government Code):

9 (i) probate of a will with independent  
10 executor, administration with will attached, administration of an  
11 estate, guardianship or receivership of an estate, or muniment of  
12 title (Sec. 118.052, Local Government Code) . . . \$40;

13 (ii) community survivors (Sec. 118.052,  
14 Local Government Code) . . . \$40;

15 (iii) small estates (Sec. 118.052, Local  
16 Government Code) . . . \$40;

17 (iv) declarations of heirship (Sec.  
18 118.052, Local Government Code) . . . \$40;

19 (v) mental health or chemical dependency  
20 services (Sec. 118.052, Local Government Code) . . . \$40; and

21 (vi) additional, special fee (Secs. 118.052 <sup>22/23</sup>  
22 and 118.064, Local Government Code) . . . \$5;

23 (B) services in pending probate action (Secs.  
24 118.052 and 118.056, Local Government Code):

25 (i) filing an inventory and appraisement  
26 after the 120th day after the date of the initial filing of the  
27 action (Sec. 118.052, Local Government Code) . . . \$25;

1                   (ii) approving and recording bond (Sec.  
2 118.052, Local Government Code) . . . \$3;  
3                   (iii) administering oath (Sec. 118.052,  
4 Local Government Code) . . . \$2;  
5                   (iv) filing annual or final account of  
6 estate (Sec. 118.052, Local Government Code) . . . \$25;  
7                   (v) filing application for sale of real or  
8 personal property (Sec. 118.052, Local Government Code) . . . \$25;  
9 and  
10                  (vi) filing annual or final report of  
11 guardian of a person (Sec. 118.052, Local Government Code) . . .  
12 \$10;  
13                  (C) adverse probate action (Secs. 118.052 and  
14 118.057, Local Government Code) . . . \$40; and  
15                  (D) claim against estate (Secs. 118.052 and  
16 118.058, Local Government Code) . . . \$2;  
17                  (9) other fees (Sec. 118.052, Local Government Code):  
18                   (A) issuing document (Secs. 118.052 and 118.059,  
19 Local Government Code):  
20                    (i) original document and one copy (Sec.  
21 118.052, Local Government Code) . . . \$4; and <sup>23</sup>24  
22                    (ii) each additional set of an original and  
23 one copy (Sec. 118.052, Local Government Code) . . . \$4;  
24                    (B) certified papers (Secs. 118.052 and 118.060,  
25 Local Government Code):  
26                    (i) for the clerk's certificate (Sec.  
27 118.052, Local Government Code) . . . \$5; and

(ii) a fee per page or part of a page (Sec. 118.052, Local Government Code) . . . \$1;

(C) noncertified papers, for each page or part of a page (Secs. 118.052 and 118.0605, Local Government Code) . . . \$1;

(D) letters testamentary, letter of guardianship, letter of administration, or abstract of judgment (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

(E) safekeeping of wills (Secs. 118.052 and 118.062, Local Government Code) . . . \$5;

(F) mail service of process (Secs. 118.052 and 118.063, Local Government Code) . . . same as sheriff; and

(G) records management and preservation fee (Secs. 118.052 and 118.0645, Local Government Code) . . . \$5;

(10) fee for deposit of a will with the county clerk during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

(11) court costs for each special commissioner in an eminent domain proceeding (Sec. 21.047, Property Code) . . . as taxed by the court, \$10 or more;

(12) jury fee for civil case (Sec. 51.604, Government Code) . . . \$22; ~~and~~ 24/25

(13) court cost in civil cases other than suits for delinquent taxes to fund the county law library fund, if authorized by the county commissioners court (Sec. 323.023, Local Government Code) . . . not to exceed \$35;

(14) the expense of preserving the record as a court cost, if imposed on a party by the referring court or associate

1 judge (Sec. 54.612, Government Code) . . . actual cost;

2 (15) security deposit on filing, by any person other  
3 than the personal representative of an estate, an application,  
4 complaint, or opposition in relation to the estate, if required by  
5 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the  
6 proceeding;

7 (16) security deposit on filing, by any person other  
8 than the guardian, attorney ad litem, or guardian ad litem, an  
9 application, complaint, or opposition in relation to a guardianship  
10 matter, if required by the clerk (Sec. 622, Texas Probate Code)  
11 . . . probable cost of the guardianship proceeding;

12 (17) for a hearing or proceeding under the Texas  
13 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
14 costs (Secs. 571.017 and 571.018, Health and Safety Code) . . .  
15 reasonable compensation to the following persons appointed under  
16 the Texas Mental Health Code:

17 (A) attorneys;

18 (B) physicians;

19 (C) language interpreters;

20 (D) sign interpreters; and

21 (E) masters; 25/26

22 (18) for a hearing or proceeding under the Texas  
23 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
24 costs (Sec. 571.018, Health and Safety Code):

25 (A) attorney's fees;

26 (B) physician examination fees;

27 (C) expense of transportation to a mental health

1 facility or to a federal agency not to exceed \$50 if transporting  
2 within the same county and not to exceed the reasonable cost of  
3 transportation if transporting between counties;

4 (D) costs and salary supplements authorized  
5 under Section 574.031, Health and Safety Code; and

6 (E) prosecutors' fees authorized under Section  
7 574.031, Health and Safety Code;

8 (19) expenses of transporting certain patients from  
9 the county of treatment to a hearing in the county in which the  
10 proceedings originated (Sec. 574.008, Health and Safety Code) . . .  
11 actual expenses unless certain arrangements are made to hold the  
12 hearing in the county in which the patient is receiving services;

13 (20) expenses for expert witness testimony for an  
14 indigent patient (Sec. 574.010, Health and Safety Code) . . . if  
15 authorized by the court as reimbursement to the attorney ad litem,  
16 court-approved expenses;

17 (21) fee for judge's services for holding a hearing on  
18 an application for court-ordered mental health services (Sec.  
19 574.031, Health and Safety Code) . . . as assessed by the judge, not  
20 to exceed \$50; 26/27

21 (22) expenses to reimburse judge for holding a hearing  
22 in a hospital or location other than the county courthouse (Sec.  
23 574.031, Health and Safety Code) . . . reasonable and necessary  
24 expenses as certified;

25 (23) fee for services of a prosecuting attorney,  
26 including costs incurred for preparation of documents related to a  
27 hearing on an application for court-ordered mental health services

1 (Sec. 574.031, Health and Safety Code) . . . as assessed by the  
2 judge, not to exceed \$50; and

3 (24) a fee not otherwise listed in this section that is  
4 required to be collected under Section 25.0029, Government Code  
5 (Sec. 25.0029, Government Code) . . . as prescribed by law relating  
6 to county judges' fees.

7 SECTION 4. Section 101.121, Government Code, is amended to  
8 read as follows:

9 Sec. 101.121. COUNTY COURT FEES AND COSTS. The clerk of a  
10 county court shall collect:

11 (1) fee for hearing on application for a license to  
12 manufacture, distribute, store, or sell beer (Sec. 61.31, Alcoholic  
13 Beverage Code) . . . \$5;

14 (2) court cost in certain civil cases to establish and  
15 maintain an alternative dispute resolution system, if authorized by  
16 the county commissioners court (Sec. 152.004, Civil Practice and  
17 Remedies Code) . . . not to exceed \$10;

18 (3) appellate judicial system filing fees:

19 (A) First or Fourteenth Court of Appeals District  
20 (Sec. 22.2021, Government Code) . . . not more than \$5; 27/28

21 (B) Second Court of Appeals District (Sec.  
22 22.2031, Government Code) . . . not more than \$5;

23 (C) Fourth Court of Appeals District (Sec.  
24 22.2051, Government Code) . . . not more than \$5;

25 (D) Fifth Court of Appeals District (Sec.  
26 22.2061, Government Code) . . . not more than \$5; and

27 (E) Thirteenth Court of Appeals District (Sec.

1 22.2141, Government Code) . . . not more than \$5;

2 (4) a jury fee (Sec. 51.604, Government Code) . . .

3 \$22;

4 (5) a filing fee in each civil case filed to be used

5 for court-related purposes for the support of the judiciary (Sec.

6 51.703, Government Code) . . . \$40;

7 (6) for filing an application for registration of

8 death (Sec. 193.007, Health and Safety Code) . . . \$1;

9 (7) fee for judge's services on an application for

10 court-ordered mental health services (Sec. 574.031, Health and

11 Safety Code) . . . not to exceed \$50;

12 (8) fee for prosecutor's services on an application

13 for court-ordered mental health services (Sec. 574.031, Health and

14 Safety Code) . . . not to exceed \$50;

15 (9) additional filing fee to fund contingency fund for

16 liability insurance, if authorized by the county commissioners

17 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

18 (10) civil court actions (Sec. 118.052, Local

19 Government Code):

20 (A) filing of original action (Secs. 118.052 and 28/29

21 118.053, Local Government Code):

22 (i) garnishment after judgment (Sec.

23 118.052, Local Government Code) . . . \$15; and

24 (ii) all others (Sec. 118.052, Local

25 Government Code) . . . \$40;

26 (B) filing of action other than original (Secs.

27 118.052 and 118.054, Local Government Code) . . . \$30; and



1 (C) services rendered after judgment in original  
2 action (Secs. 118.052 and 118.0545, Local Government Code):

3 (i) abstract of judgment (Sec. 118.052,  
4 Local Government Code) . . . \$5; and

5 (ii) execution, order of sale, writ, or  
6 other process (Sec. 118.052, Local Government Code) . . . \$5;

7 (11) probate court actions (Sec. 118.052, Local  
8 Government Code):

9 (A) probate original action (Secs. 118.052 and  
10 118.055, Local Government Code):

11 (i) probate of a will with independent  
12 executor, administration with will attached, administration of an  
13 estate, guardianship or receivership of an estate, or muniment of  
14 title (Sec. 118.052, Local Government Code) . . . \$40;

15 (ii) community survivors (Sec. 118.052,  
16 Local Government Code) . . . \$40;

17 (iii) small estates (Sec. 118.052, Local  
18 Government Code) . . . \$40;

19 (iv) declarations of heirship (Sec.  
20 118.052, Local Government Code) . . . \$40; 29/30

21 (v) mental health or chemical dependency  
22 services (Sec. 118.052, Local Government Code) . . . \$40; and

23 (vi) additional, special fee (Secs. 118.052  
24 and 118.064, Local Government Code) . . . \$5;

25 (B) services in pending probate action (Secs.  
26 118.052 and 118.056, Local Government Code):

27 (i) filing an inventory and appraisalment

186E

1 after the 120th day after the date of the initial filing of the  
2 action (Sec. 118.052, Local Government Code) . . . \$25;  
3 (ii) approving and recording bond (Sec.  
4 118.052, Local Government Code) . . . \$3;  
5 (iii) administering oath (Sec. 118.052,  
6 Local Government Code) . . . \$2;  
7 (iv) filing annual or final account of  
8 estate (Sec. 118.052, Local Government Code) . . . \$25;  
9 (v) filing application for sale of real or  
10 personal property (Sec. 118.052, Local Government Code) . . . \$25;  
11 and  
12 (vi) filing annual or final report of  
13 guardian of a person (Sec. 118.052, Local Government Code) . . .  
14 \$10;  
15 (C) adverse probate action (Secs. 118.052 and  
16 118.057, Local Government Code) . . . \$40; and  
17 (D) claim against estate (Secs. 118.052 and  
18 118.058, Local Government Code) . . . \$2;  
19 (12) other fees (Sec. 118.052, Local Government Code):  
20 (A) issuing document (Secs. 118.052 and 118.059, <sup>30</sup>/<sub>31</sub>  
21 Local Government Code):  
22 (i) original document and one copy (Sec.  
23 118.052, Local Government Code) . . . \$4; and  
24 (ii) each additional set of an original and  
25 one copy (Sec. 118.052, Local Government Code) . . . \$4;  
26 (B) certified papers (Secs. 118.052 and 118.060,  
27 Local Government Code):

1 (i) for the clerk's certificate (Sec.  
2 118.052, Local Government Code) . . . \$5; and

3 (ii) a fee per page or part of a page (Sec.  
4 118.052, Local Government Code) . . . \$1;

5 (C) noncertified papers, for each page or part of  
6 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .  
7 \$1;

8 (D) letters testamentary, letter of  
9 guardianship, letter of administration, or abstract of judgment  
10 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

11 (E) safekeeping of wills (Secs. 118.052 and  
12 118.062, Local Government Code) . . . \$5;

13 (F) mail service of process (Secs. 118.052 and  
14 118.063, Local Government Code) . . . same as sheriff; and

15 (G) records management and preservation fee  
16 (Secs. 118.052, 118.0546, and 118.0645, Local Government Code)  
17 . . . \$5;

18 (13) deposit on filing petition requesting permission  
19 to create a municipal civic center authority (Sec. 281.013, Local  
20 Government Code) . . . \$200;<sup>31</sup>/<sub>32</sub>

21 (14) additional filing fee to fund the courthouse  
22 security fund, if authorized by the county commissioners court  
23 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

24 (15) additional filing fee for filing documents not  
25 subject to certain filing fees to fund the courthouse security  
26 fund, if authorized by the county commissioners court (Sec.  
27 291.008, Local Government Code) . . . \$1;

1           (16) additional filing fee to fund the courthouse  
2 security fund in Webb County, if authorized by the county  
3 commissioners court (Sec. 291.009, Local Government Code) . . . not  
4 to exceed \$20;

5           (17) court cost in civil cases other than suits for  
6 delinquent taxes to fund the county law library fund, if authorized  
7 by the county commissioners court (Sec. 323.023, Local Government  
8 Code) . . . not to exceed \$35;

9           (18) fee for deposit of a will with the county clerk  
10 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

11           (19) fee for county attorney in a suit regarding a  
12 railroad company's failure to keep roadbed and right-of-way in  
13 proper condition (Art. 6327, Vernon's Texas Civil Statutes) . . .  
14 \$10;

15           (20) appeal bond from a petitioner or taxpayer in a  
16 water control and preservation district (Art. 7818, Vernon's Texas  
17 Civil Statutes) . . . \$100; ~~and~~

18           (21) additional filing fee for filing any civil action  
19 or proceeding requiring a filing fee, including an appeal, and on  
20 the filing of any counterclaim, cross-action, intervention,<sup>34/</sup>  
21 interpleader, or third-party action requiring a filing fee, to fund<sub>33</sub>  
22 civil legal services for the indigent (Sec. 133.153, Local  
23 Government Code) . . . \$5;

24           (22) court fees and costs, if ordered by the court, for  
25 a suit filed by an inmate in which an affidavit or unsworn  
26 declaration of inability to pay costs is filed by the inmate (Sec.  
27 14.006, Civil Practice and Remedies Code) . . . the lesser of:

1                   (A) 20 percent of the preceding six months'  
2 deposits to the inmate's trust account administered by the Texas  
3 Department of Criminal Justice under Section 501.014, Government  
4 Code; or

5                   (B) the total amount of court fees and costs;  
6                   (23) monthly payment for remaining court fees and  
7 costs after the initial payment for a suit in which an affidavit or  
8 unsworn declaration of inability to pay costs is filed by the inmate  
9 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser  
10 of:

11                   (A) 10 percent of that month's deposit to the  
12 inmate's trust account administered by the Texas Department of  
13 Criminal Justice under Section 501.014, Government Code; or

14                   (B) the total amount of court fees and costs that  
15 remain unpaid;

16                   (24) the following costs not otherwise charged to the  
17 inmate under Section 14.006, Civil Practice and Remedies Code, if  
18 the inmate has previously filed an action dismissed as malicious or  
19 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

20                   (A) expenses of service of process; <sup>37</sup>/<sub>34</sub>

21                   (B) postage; and

22                   (C) transportation, housing, or medical care  
23 incurred in connection with the appearance of the inmate in the  
24 court for any proceeding;

25                   (25) security deposit on filing, by any person other  
26 than the personal representative of an estate, an application,  
27 complaint, or opposition in relation to the estate, if required by

1 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the  
2 proceeding;

3 (26) security deposit on filing, by any person other  
4 than the guardian, attorney ad litem, or guardian ad litem, an  
5 application, complaint, or opposition in relation to a guardianship  
6 matter, if required by the clerk (Sec. 622, Texas Probate Code)  
7 . . . probable cost of the guardianship proceeding;

8 (27) for a hearing or proceeding under the Texas  
9 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
10 costs (Secs. 571.017 and 571.018, Health and Safety Code) . . .  
11 reasonable compensation to the following persons appointed under  
12 the Texas Mental Health Code:

13 (A) attorneys;

14 (B) physicians;

15 (C) language interpreters;

16 (D) sign interpreters; and

17 (E) masters;

18 (28) for a hearing or proceeding under the Texas  
19 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
20 costs (Sec. 571.018, Health and Safety Code): <sup>74</sup>/<sub>35</sub>

21 (A) attorney's fees;

22 (B) physician examination fees;

23 (C) expense of transportation to a mental health  
24 facility or to a federal agency not to exceed \$50 if transporting  
25 within the same county and not to exceed the reasonable cost of  
26 transportation if transporting between counties;

27 (D) costs and salary supplements authorized

1 under Section 574.031, Health and Safety Code; and

2 (E) prosecutors' fees authorized under Section  
3 574.031, Health and Safety Code;

4 (29) expenses of transporting certain patients from  
5 the county of treatment to a hearing in the county in which the  
6 proceedings originated (Sec. 574.008, Health and Safety Code) . . .  
7 actual expenses unless certain arrangements are made to hold the  
8 hearing in the county in which the patient is receiving services;

9 (30) expenses for expert witness testimony for an  
10 indigent patient (Sec. 574.010, Health and Safety Code) . . . if  
11 authorized by the court as reimbursement to the attorney ad litem,  
12 court-approved expenses;

13 (31) fee for judge's services for holding a hearing on  
14 an application for court-ordered mental health services (Sec.  
15 574.031, Health and Safety Code) . . . as assessed by the judge, not  
16 to exceed \$50;

17 (32) expenses to reimburse judge for holding a hearing  
18 in a hospital or location other than the county courthouse (Sec.  
19 574.031, Health and Safety Code) . . . reasonable and necessary  
20 expenses as certified; and

21 (33) fee for services of a prosecuting attorney,  
22 including costs incurred for preparation of documents related to a  
23 hearing on an application for court-ordered mental health services  
24 (Sec. 574.031, Health and Safety Code) . . . as assessed by the  
25 judge, not to exceed \$50.

26 SECTION 5. Section 101.141, Government Code, is amended to  
27 read as follows:

1           Sec. 101.141. JUSTICE COURT AND SMALL CLAIMS COURT FEES AND  
2 COSTS. (a) A clerk of a justice court shall collect fees and costs  
3 as follows:

4           (1) additional court cost in certain civil cases to  
5 establish and maintain an alternative dispute resolution system, if  
6 authorized by the commissioners court of a county with a population  
7 of at least 2.5 million (Sec. 152.005, Civil Practice and Remedies  
8 Code) . . . not to exceed \$3;

9           (2) additional filing fees:

10           (A) to fund Dallas County civil court facilities  
11 (Sec. 51.705, Government Code) . . . not more than \$15; and

12           (B) for filing any civil action or proceeding  
13 requiring a filing fee, including an appeal, and on the filing of  
14 any counterclaim, cross-action, intervention, interpleader, or  
15 third-party action requiring a filing fee, to fund civil legal  
16 services for the indigent (Sec. 133.153, Local Government Code)  
17 . . . \$2;

18           (3) for filing a suit in Comal County (Sec. 152.0522,  
19 Human Resources Code) . . . \$1.50; ~~and~~ <sup>36</sup>/<sub>31</sub>

20           (4) fee for hearing on probable cause for removal of a  
21 vehicle and placement in a storage facility if assessed by the court  
22 (Sec. 685.008, Transportation Code) . . . \$10;

23           (5) court fees and costs, if ordered by the court, for  
24 a suit filed by an inmate in which an affidavit or unsworn  
25 declaration of inability to pay costs is filed by the inmate (Sec.  
26 14.006, Civil Practice and Remedies Code) . . . the lesser of:

27           (A) 20 percent of the preceding six months'



1 deposits to the inmate's trust account administered by the Texas  
2 Department of Criminal Justice under Section 501.014, Government  
3 Code; or

4 (B) the total amount of court fees and costs;

5 (6) monthly payment for remaining court fees and costs  
6 after the initial payment for a suit in which an affidavit or  
7 unsworn declaration of inability to pay costs is filed by the inmate  
8 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser  
9 of:

10 (A) 10 percent of that month's deposit to the  
11 inmate's trust account administered by the Texas Department of  
12 Criminal Justice under Section 501.014, Government Code; or

13 (B) the total amount of court fees and costs that  
14 remain unpaid;

15 (7) the following costs not otherwise charged to the  
16 inmate under Section 14.006, Civil Practice and Remedies Code, if  
17 the inmate has previously filed an action dismissed as malicious or  
18 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

19 (A) expenses of service of process; <sup>31</sup>/<sub>38</sub>

20 (B) postage; and

21 (C) transportation, housing, or medical care  
22 incurred in connection with the appearance of the inmate in the  
23 court for any proceeding; and

24 (8) the cost of a special program that a court may  
25 order a child to attend after a finding that the child committed an  
26 offense, if ordered by the court (Art. 45.0<sup>5</sup>~~4~~7, Code of Criminal  
27 Procedure) . . . costs of the program not to exceed \$100.

(b) A justice of the peace shall collect the following fees:

(1) services rendered before judgment (Secs. 118.121 and 118.122, Local Government Code):

(A) justice court (Sec. 118.121, Local Government Code) . . . \$15; and

(B) small claims court (Sec. 118.121, Local Government Code) . . . \$10; ~~and~~

(2) services rendered after judgment (Secs. 118.121 and 118.123, Local Government Code):

(A) transcript (Sec. 118.121, Local Government Code) . . . \$10;

(B) abstract of judgment (Sec. 118.121, Local Government Code) . . . \$5;

(C) execution, order of sale, writ of restitution, or other writ or process (Sec. 118.121, Local Government Code) . . . \$5 per page;

(D) certified copy of court papers (Secs. 118.121 and 118.1235, Local Government Code) . . . \$2 for first page; \$0.25 for each additional page; and <sup>15</sup>/<sub>31</sub>

(E) issuing other document (no return required) (Sec. 118.121, Local Government Code) . . . \$1 for first page; \$0.25 for each additional page;

(3) court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 20 percent of the preceding six months'

1 deposits to the inmate's trust account administered by the Texas  
2 Department of Criminal Justice under Section 501.014, Government  
3 Code; or

4 (B) the total amount of court fees and costs;  
5 (4) monthly payment for remaining court fees and costs  
6 after the initial payment for a suit in which an affidavit or  
7 unsworn declaration of inability to pay costs is filed by the inmate  
8 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser  
9 of:

10 (A) 10 percent of that month's deposit to the  
11 inmate's trust account administered by the Texas Department of  
12 Criminal Justice under Section 501.014, Government Code; or

13 (B) the total amount of court fees and costs that  
14 remain unpaid; and

15 (5) the following costs not otherwise charged to the  
16 inmate under Section 14.006, Civil Practice and Remedies Code, if  
17 the inmate has previously filed an action dismissed as malicious or  
18 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

19 (A) expenses of service of process;  
20 (B) postage; and  
21 (C) transportation, housing, or medical care  
22 incurred in connection with the appearance of the inmate in the  
23 court for any proceeding.

24 SECTION 6. Section 101.161, Government Code, is amended to  
25 read as follows:

26 Sec. 101.161. MUNICIPAL COURT FEES AND COSTS. The clerk of  
27 a municipal court shall collect:

1           (1) ~~[may collect]~~ a fee for a hearing on probable cause  
2 for removal of a vehicle and placement in a storage facility if  
3 assessed by the court (Sec. 685.008, Transportation Code) . . .  
4 \$10; and

5           (2) the cost of a special program that a court may  
6 order a child to attend after finding that the child committed an  
7 offense, if ordered by the court (Art. 45.0<sup>5</sup>~~4~~7, Code of Criminal  
8 Procedure) . . . costs of the program not to exceed \$100.

9           SECTION 7. Section 101.181, Government Code, is amended to  
10 read as follows:

11           Sec. 101.181. MUNICIPAL COURTS OF RECORD FEES AND COSTS.  
12 The clerk of a municipal court of record shall collect the following  
13 fees and costs:

14           (1) from an appellant, a transcript preparation fee  
15 (Sec. 30.00014, Government Code) . . . \$25;

16           (2) from an appellant in the City of El Paso, an  
17 appellate court docket fee (Sec. 30.00147, Government Code) . . .  
18 \$25; ~~and~~

19           (3) fee for hearing on probable cause for removal of a <sup>40</sup>/<sub>41</sub>  
20 vehicle and placement in a storage facility if assessed by the court  
21 (Sec. 685.008, Transportation Code) . . . \$10;  
22 and

23           (4) the cost of a special program that a court may  
24 order a child to attend after finding that the child committed an  
25 offense, if ordered by the court (Art. 45.0<sup>5</sup>~~4~~7, Code of Criminal  
26 Procedure) . . . costs of the program, not to exceed \$100.

27           SECTION 8. Section 102.021, Government Code, is amended to

1 read as follows:

2 Sec. 102.021. COURT COSTS ON CONVICTION. A person  
3 convicted of an offense shall pay, in addition to all other costs:

4 (1) court costs on conviction of a felony (Sec.  
5 133.102, Local Government Code) . . . \$133;

6 (2) court costs on conviction of a Class A or Class B  
7 misdemeanor (Sec. 133.102, Local Government Code) . . . \$83;

8 (3) court costs on conviction of a nonjailable  
9 misdemeanor offense, including a criminal violation of a municipal  
10 ordinance, other than a conviction of an offense relating to a  
11 pedestrian or the parking of a motor vehicle (Sec. 133.102, Local  
12 Government Code) . . . \$40;

13 (4) court costs on certain convictions in statutory  
14 county courts (Sec. 51.702, Government Code) . . . \$15;

15 (5) court costs on certain convictions in certain  
16 county courts (Sec. 51.703, Government Code) . . . \$15;

17 (6) a time payment fee if convicted of a felony or  
18 misdemeanor for paying any part of a fine, court costs, or  
19 restitution on or after the 31st day after the date on which a <sup>41</sup>/<sub>42</sub>  
20 judgment is entered assessing the fine, court costs, or restitution  
21 (Sec. 133.103, Local Government Code) . . . \$25;

22 (7) a fee for services of prosecutor (Art. 102.008,  
23 Code of Criminal Procedure) . . . \$25;

24 (8) fees for services of peace officer:

25 (A) issuing a written notice to appear in court  
26 for certain violations (Art. 102.011, Code of Criminal Procedure)  
27 . . . \$5;

1                   (B) executing or processing an issued arrest  
2 warrant or capias (Art. 102.011, Code of Criminal Procedure) . . .  
3 \$50;

4                   (C) summoning a witness (Art. 102.011, Code of  
5 Criminal Procedure) . . . \$5;

6                   (D) serving a writ not otherwise listed (Art.  
7 102.011, Code of Criminal Procedure) . . . \$35;

8                   (E) taking and approving a bond and, if  
9 necessary, returning the bond to courthouse (Art. 102.011, Code of  
10 Criminal Procedure) . . . \$10;

11                   (F) commitment or release (Art. 102.011, Code of  
12 Criminal Procedure) . . . \$5;

13                   (G) summoning a jury (Art. 102.011, Code of  
14 Criminal Procedure) . . . \$5;

15                   (H) attendance of a prisoner in habeas corpus  
16 case if prisoner has been remanded to custody or held to bail (Art.  
17 102.011, Code of Criminal Procedure) . . . \$8 each day;

18                   (I) mileage for certain services performed (Art.  
19 102.011, Code of Criminal Procedure) . . . \$0.29 per mile; and <sup>12</sup>/<sub>43</sub>

20                   (J) services of a sheriff or constable who serves  
21 process and attends examining trial in certain cases (Art. 102.011,  
22 Code of Criminal Procedure) . . . not to exceed \$5;

23                   (9) services of a peace officer in conveying a witness  
24 outside the county (Art. 102.011, Code of Criminal Procedure) . . .  
25 \$10 per day or part of a day, plus actual necessary travel expenses;

26                   (10) overtime of peace officer for time spent  
27 testifying in the trial or traveling to or from testifying in the

1 trial (Art. 102.011, Code of Criminal Procedure) . . . actual cost;  
2 (11) court costs on an offense relating to rules of the  
3 road, when offense occurs within a school crossing zone (Art.  
4 102.014, Code of Criminal Procedure) . . . \$25;  
5 (12) court costs on an offense of passing a school bus  
6 (Art. 102.014, Code of Criminal Procedure) . . . \$25;  
7 (13) court costs on an offense of truancy or  
8 contributing to truancy (Art. 102.014, Code of Criminal Procedure)  
9 . . . \$20;  
10 (14) cost for visual recording of intoxication arrest  
11 before conviction (Art. 102.018, Code of Criminal Procedure) . . .  
12 \$15;  
13 (15) cost of certain evaluations (Art. 102.018, Code  
14 of Criminal Procedure) . . . actual cost;  
15 (16) additional costs attendant to certain  
16 intoxication convictions under Chapter 49, Penal Code, for  
17 emergency medical services, trauma facilities, and trauma care<sup>43</sup>/<sub>44</sub>  
18 systems (Art. 102.0185, Code of Criminal Procedure) . . . \$100;  
19 (17) cost for DNA testing for certain felonies (Art.  
20 102.020, Code of Criminal Procedure) . . . \$250;  
21 (18) court cost on an offense of public lewdness or  
22 indecent exposure (Art. 102.020, Code of Criminal Procedure) . . .  
23 \$50;  
24 (19) court cost on conviction of a misdemeanor under  
25 Subtitle C, Title 7, Transportation Code (Sec. 542.403,  
26 Transportation Code) . . . \$3;  
27 (20) cost for impoundment of vehicle (Sec. 601.263,

1 Transportation Code) . . . \$15 per day; ~~and~~

2 (21) a civil and criminal enforcement cost on  
3 conviction of an offense of, or related to, the nonpayment of a toll  
4 in certain counties (Sec. 284.2031, Transportation Code) . . . \$1;  
5 and

6 (22) if directed by the justice of the peace or  
7 municipal court judge hearing the case, court costs on conviction  
8 in a criminal action (Art. 45.041, Code of Criminal Procedure)  
9 . . . part or all of the costs as directed by the judge.

10 SECTION 9. Section 103.021, Government Code, is amended to  
11 read as follows:

12 Sec. 103.021. ADDITIONAL FEES AND COSTS IN CRIMINAL OR  
13 CIVIL CASES. An accused or defendant, or a party to a civil suit, as  
14 applicable, shall pay the following fees and costs if ordered by the  
15 court or otherwise required:

16 (1) a personal bond fee (Art. 17.42, Code of Criminal  
17 Procedure) . . . the greater of \$20 or three percent of the amount <sup>44</sup>  
18 of the bail fixed for the accused; <sub>45</sub>

19 (2) cost of electronic monitoring as a condition of  
20 release on personal bond (Art. 17.43, Code of Criminal Procedure)  
21 . . . actual cost;

22 (3) a fee for verification of and monitoring of motor  
23 vehicle ignition interlock (Art. 17.441, Code of Criminal  
24 Procedure) . . . not to exceed \$10;

25 (4) repayment of reward paid by a crime stoppers  
26 organization on conviction of a felony (Art. 37.073, Code of  
27 Criminal Procedure) . . . amount ordered;



1           (5) reimbursement to general revenue fund for payments  
2 made to victim of an offense as condition of community supervision  
3 (Art. 42.12, Code of Criminal Procedure) . . . not to exceed \$50 for  
4 a misdemeanor offense or \$100 for a felony offense;

5           (6) payment to a crime stoppers organization as  
6 condition of community supervision (Art. 42.12, Code of Criminal  
7 Procedure) . . . not to exceed \$50;

8           (7) children's advocacy center fee (Art. 42.12, Code  
9 of Criminal Procedure) . . . not to exceed \$50;

10          (8) family violence shelter center fee (Art. 42.12,  
11 Code of Criminal Procedure) . . . not to exceed \$100;

12          (9) community supervision fee (Art. 42.12, Code of  
13 Criminal Procedure) . . . not less than \$25 or more than \$60 per  
14 month;

15          (10) additional community supervision fee for certain  
16 offenses (Art. 42.12, Code of Criminal Procedure) . . . \$5 per  
17 month; / <sup>45/46</sup>

18          (11) for certain financially able sex offenders as a  
19 condition of community supervision, the costs of treatment,  
20 specialized supervision, or rehabilitation (Art. 42.12, Code of  
21 Criminal Procedure) . . . all or part of the reasonable and  
22 necessary costs of the treatment, supervision, or rehabilitation as  
23 determined by the judge;

24          (12) fee for failure to appear for trial in a justice  
25 or municipal court if a jury trial is not waived (Art. 45.026, Code  
26 of Criminal Procedure) . . . costs incurred for impaneling the  
27 jury;

1           (13) costs of certain testing, assessments, or  
2 programs during a deferral period (Art. 45.051, Code of Criminal  
3 Procedure) . . . amount ordered;

4           (14) special expense on dismissal of certain  
5 misdemeanor complaints (Art. 45.051, Code of Criminal Procedure)  
6 . . . not to exceed amount of fine assessed;

7           (15) an additional fee:

8               (A) as an administrative fee for requesting a  
9 driving safety course or a course under the motorcycle operator/  
10 training and safety program for certain traffic offenses to cover  
11 the cost of administering the article (Art. 45.0511(f)(1), Code of  
12 Criminal Procedure) . . . not to exceed \$10; or

13               (B) for requesting a driving safety course or a  
14 course under the motorcycle operator training and safety program  
15 before the final disposition of the case (Art. 45.0511(f)(2), Code  
16 of Criminal Procedure) . . . not to exceed the maximum amount of the  
17 fine for the offense committed by the defendant; / 46/47

18           (16) a request fee for teen court program (Art.  
19 45.052, Code of Criminal Procedure) . . . not to exceed \$10;

20           (17) a fee to cover costs of required duties of teen  
21 court (Art. 45.052, Code of Criminal Procedure) . . . \$10;

22           (18) a mileage fee for officer performing certain  
23 services (Art. 102.001, Code of Criminal Procedure) . . . \$0.15 per  
24 mile;

25           (19) certified mailing of notice of hearing date (Art.  
26 102.006, Code of Criminal Procedure) . . . \$1, plus postage;

27           (20) certified mailing of certified copies of an order

1 of expunction (Art. 102.006, Code of Criminal Procedure) . . . \$2,  
2 plus postage;

3 (21) sight orders:

4 (A) if the face amount of the check or sight order  
5 does not exceed \$10 (Art. 102.007, Code of Criminal Procedure)  
6 . . . not to exceed \$10;

7 (B) if the face amount of the check or sight order  
8 is greater than \$10 but does not exceed \$100 (Art. 102.007, Code of  
9 Criminal Procedure) . . . not to exceed \$15;

10 (C) if the face amount of the check or sight order  
11 is greater than \$100 but does not exceed \$300 (Art. 102.007, Code of  
12 Criminal Procedure) . . . not to exceed \$30;

13 (D) if the face amount of the check or sight order  
14 is greater than \$300 but does not exceed \$500 (Art. 102.007, Code of  
15 Criminal Procedure) . . . not to exceed \$50; and

16 (E) if the face amount of the check or sight order  
17 is greater than \$500 (Art. 102.007, Code of Criminal/Procedure) <sup>47/</sup><sub>48</sub>  
18 . . . not to exceed \$75;

19 (22) a fee for pretrial intervention program (Art.  
20 102.012, Code of Criminal Procedure) . . . not to exceed \$500;

21 (23) parking fee violations for child safety fund in  
22 municipalities with populations:

23 (A) greater than 850,000 (Art. 102.014, Code of  
24 Criminal Procedure) . . . not less than \$2 and not to exceed \$5; and

25 (B) less than 850,000 (Art. 102.014, Code of  
26 Criminal Procedure) . . . not to exceed \$5;

27 (24) an administrative fee for collection of fines,

1 fees, restitution, or other costs (Art. 102.072, Code of Criminal  
2 Procedure) . . . not to exceed \$2 for each transaction;

3 (25) a court reporter fee when testimony is taken:

4 (A) in a criminal court in Dallas County (Sec.  
5 25.0593, Government Code) . . . \$3;

6 (B) in a county criminal court of appeals in  
7 Dallas County (Sec. 25.0594, Government Code) . . . \$3;

8 (C) in a county court at law in McLennan County  
9 (Sec. 25.1572, Government Code) . . . \$3; and

10 (D) in a county criminal court in Tarrant County  
11 (Sec. 25.2223, Government Code) . . . \$3;

12 (26) a speedy trial filing fee in El Paso County (Sec.  
13 54.745, Government Code) . . . \$100;

14 (27) costs for use of magistrate in Brazos County  
15 (Sec. 54.1116, Government Code) . . . not to exceed \$50;

16 (28) an administrative fee for participation in /48/49  
17 certain community supervision programs (Sec. 76.015, Government  
18 Code) . . . not less than \$25 and not more than \$40 per month;

19 (29) in family matters:

20 (A) issuing writ of withholding (Sec. 8.262,  
21 Family Code) . . . \$15;

22 (B) filing copy of writ of withholding to  
23 subsequent employer (Sec. 8.267, Family Code) . . . \$15;

24 (C) issuing and delivering modified writ of  
25 withholding or notice of termination (Sec. 8.302, Family Code)  
26 . . . \$15;

27 (D) issuing and delivering notice of termination

1 of withholding (Sec. 8.303, Family Code) . . . \$15;  
2 (E) issuance of change of name certificate (Sec.  
3 45.106, Family Code) . . . \$10;  
4 (F) protective order fee (Sec. 81.003, Family  
5 Code) . . . \$16;  
6 (G) filing suit requesting adoption of child  
7 (Sec. 108.006, Family Code) . . . \$15;  
8 (H) filing fees for suits affecting parent-child  
9 relationship (Sec. 110.002, Family Code):  
10 (i) suit or motion for modification (Sec.  
11 110.002, Family Code) . . . \$15;  
12 (ii) motion for enforcement (Sec. 110.002,  
13 Family Code) . . . \$15;  
14 (iii) notice of application for judicial  
15 writ of withholding (Sec. 110.002, Family Code) . . . \$15;  
16 (iv) motion to transfer (Sec. 110.002, / 49/  
17 Family Code) . . . \$15; 50  
18 (v) petition for license suspension (Sec.  
19 110.002, Family Code) . . . \$15;  
20 (vi) motion to revoke a stay of license  
21 suspension (Sec. 110.002, Family Code) . . . \$15; and  
22 (vii) motion for contempt (Sec. 110.002,  
23 Family Code) . . . \$15;  
24 (I) order or writ of income withholding to be  
25 delivered to employer (Sec. 110.004, Family Code) . . . not to  
26 exceed \$15;  
27 (J) filing fee for transferred case (Sec.

1 110.005, Family Code) . . . \$45;

2 (K) filing a writ of withholding (Sec. 158.319,  
3 Family Code) . . . \$15;

4 (L) filing a request for modified writ of  
5 withholding or notice of termination (Sec. 158.403, Family Code)  
6 . . . not to exceed \$15;

7 (M) filing an administrative writ to employer  
8 (Sec. 158.503, Family Code) . . . not to exceed \$15; and

9 (N) genetic testing fees in relation to a child  
10 born to a gestational mother (Sec. 160.762, Family Code) . . . as  
11 assessed by the court;

12 (30) in juvenile court:

13 (A) fee schedule for deferred prosecution  
14 services (Sec. 53.03, Family Code) . . . maximum fee of \$15 a month;

15 (B) a teen court administration fee (Sec. 54.032,  
16 Family Code) . . . not to exceed \$10; <sup>50/</sup><sub>51</sub>

17 (C) court costs for juvenile probation diversion  
18 fund (Sec. 54.0411, Family Code) . . . \$20;

19 (D) a juvenile delinquency prevention fee (Sec.  
20 54.0461, Family Code) . . . \$5; and

21 (E) a court fee for child's probationary period  
22 (Sec. 54.061, Family Code) . . . not to exceed \$15 a month;

23 (31) a court reporter service fee if the courts have  
24 official court reporters (Sec. 51.601, Government Code) . . . \$15;

25 (32) administrative fee on dismissal of charge of  
26 driving with an expired motor vehicle registration (Sec. 502.407,  
27 Transportation Code) . . . not to exceed \$10;

1           (33) administrative fee on dismissal of charge of  
2 driving with an expired driver's license (Sec. 521.026,  
3 Transportation Code) . . . not to exceed \$10;

4           (34) administrative fee on remediation of charge of  
5 driving with an expired inspection certificate (Sec. 548.605,  
6 Transportation Code) . . . not to exceed \$10;

7           (35) administrative fee for failure to appear for a  
8 complaint or citation on certain offenses (Sec. 706.006,  
9 Transportation Code) . . . \$30 for each violation;

10          (36) administrative fee for failure to pay or satisfy  
11 certain judgments (Sec. 706.006, Transportation Code) . . . \$30;

12          (37) fee paid on filing a petition for an order of  
13 nondisclosure of criminal history record information in certain  
14 cases (Sec. 411.081, Government Code) . . . \$28; ~~and~~

15          (38) on a finding that an animal's owner has cruelly  
16 treated the animal, court costs including:

17               (A) investigation (Sec. 821.023, Health and  
18 Safety Code) . . . actual costs;

19               (B) expert witnesses (Sec. 821.023, Health and  
20 Safety Code) . . . actual costs;

21               (C) housing and caring for the animal during its  
22 impoundment (Sec. 821.023, Health and Safety Code) . . . actual  
23 costs;

24               (D) conducting any public sale ordered by the  
25 court (Sec. 821.023, Health and Safety Code) . . . actual costs;  
26 and

27               (E) humanely destroying the animal if

1 destruction is ordered by the court (Sec. 821.023, Health and  
2 Safety Code) . . . actual costs;

3 (39) the costs of a criminal magistrate if the court  
4 determines that the nonprevailing party is able to defray the  
5 costs:

6 (A) in Bexar County (Sec. 54.913, Government  
7 Code) . . . magistrate's fees;

8 (B) in Dallas County (Sec. 54.313, Government  
9 Code) . . . magistrate's fees;

10 (C) in Lubbock County (Sec. 54.883, Government  
11 Code) . . . magistrate's fees;

12 (D) in Tarrant County (Sec. 54.663, Government  
13 Code) . . . magistrate's fees;

14 (E) in Travis County (Sec. 54.983, Government  
15 Code) . . . magistrate's fees; and /

16 (F) in Williamson County (Sec. 54.958,  
17 Government Code) . . . expense of the magistrate; and

18 (40) a collection fee, if authorized by the  
19 commissioners court of a county or the governing body of a  
20 municipality, for certain debts and accounts receivable, including  
21 unpaid fines, fees, court costs, forfeited bonds, and restitution  
22 ordered paid (Art. 103.0031, Code of Criminal Procedure) . . . 30  
23 percent of an amount more than 60 days past due.

24 SECTION 10. Section 103.022, Government Code, is amended to  
25 read as follows:

26 Sec. 103.022. MISCELLANEOUS FEES AND COSTS. The following  
27 fees and costs shall be paid or collected as follows:

52/53



1           (1) fee for use of an interpreter in civil cases (Sec.  
2 21.051, Civil Practice and Remedies Code) . . . \$3;  
3           (2) fee for custodian of a record compelled by a court  
4 to produce or certify the record (Sec. 22.004, Civil Practice and  
5 Remedies Code) . . . \$1;  
6           (3) cost for use of certified copy of the record of  
7 names of all trustees appointed by any state organization of a  
8 religious congregation in this state (Sec. 126.012, Civil Practice  
9 and Remedies Code) . . . \$1.50;  
10          (4) filing of a restitution lien (Art. 42.22, Code of  
11 Criminal Procedure) . . . \$5;  
12          (5) issuance and service of a warrant of arrest for  
13 certain offenses if prescribed by the municipality (Art. 45.203,  
14 Code of Criminal Procedure) . . . not to exceed \$25;  
15          (6) filing a certified copy of a judicial finding of / 53/54  
16 fact and conclusion of law if charged by the secretary of state  
17 (Sec. 51.905, Government Code) . . . \$15;  
18          (7) costs of determining and sending information  
19 concerning the identity of the court with continuing, exclusive  
20 jurisdiction if charged by the bureau of vital statistics (Sec.  
21 108.006, Family Code) . . . reasonable fee;  
22          (8) initial operations fee paid to domestic relations  
23 office on filing of a suit affecting the parent-child relationship,  
24 if authorized by the administering entity (Sec. 203.005, Family  
25 Code) . . . not to exceed \$15;  
26          (9) initial child support service fee paid to domestic  
27 relations office in certain counties on filing of a suit affecting

1 the parent-child relationship, if authorized by the administering  
2 entity (Sec. 203.005, Family Code) . . . not to exceed \$36;

3 (10) service fee for services of a domestic relations  
4 office, if authorized by the administering entity (Sec. 203.005,  
5 Family Code) . . . not to exceed \$3 per month;

6 (11) fee from a Title IV-D agency for each item of  
7 process to each individual on whom service is required, including  
8 service by certified or registered mail (Sec. 231.202, Family Code)  
9 . . . the amount that a sheriff or constable may charge for serving  
10 process under Section 118.131, Local Government Code;

11 (12) a copy of records of spousal or child support and  
12 fees administered in Dallas County if authorized by the local  
13 administrative judge (Sec. 152.0634, Human Resources Code) . . .  
14 not to exceed \$2 per page;

15 (13) collecting, disbursing, or monitoring spousal or  
16 child support payments in Dallas County (Sec. 152.0635, Human  
17 Resources Code) . . . not to exceed \$3 per month;

18 (14) fee for adoption, family, and home study  
19 investigations in an adoption in Dallas County (Sec. 152.0635,  
20 Human Resources Code) . . . not to exceed \$250;

21 (15) certain transactions with respect to a suit for  
22 spousal support or a suit affecting the parent-child relationship  
23 in Harris County, if authorized by the county commissioners court  
24 (Sec. 152.1074, Human Resources Code) . . . not to exceed \$2 per  
25 transaction;

26 (16) child support service fee in Smith County if  
27 court allows assessment by child support office (Sec. 152.2183,

[authorized by the county commissioners]

[Envelces] 6,7

[152.1844]

[5 per]

1 ~~Human Resources Code) . . . not to exceed \$2.50 a month child~~  
2 ~~support service fee in Nueces County, if authorized by the county,~~  
3 ~~commissioners court (Sec. 152.1844, Human Resources Code) . . . not~~  
4 ~~to exceed \$5 per month];~~

5 (17) services by the offices of the sheriff and  
6 constables (Sec. 118.131, Local Government Code) . . . amount set  
7 by county commissioners court;

8 (18) cost paid by each surety posting the bail bond for  
9 an offense other than a misdemeanor punishable by fine only under  
10 Chapter 17, Code of Criminal Procedure, for the felony prosecutor  
11 supplement fund and the fair defense account (Sec. 41.258,  
12 Government Code) . . . \$15, provided the cost does not exceed \$30  
13 for all bail bonds posted at that time for an individual and the  
14 cost is not required on the posting of a personal or cash bond;

15 (19) appraiser's fee as court costs for determining  
16 the fair value of ownership interests of owners who have perfected  
17 their rights (Sec. 10.365, Business Organizations Code) . . . a  
18 reasonable fee;

55/56

19 (19-a) an appraiser's fee as court costs for  
20 determining the fair value of the shares of the shareholders  
21 entitled to payment for their shares in a real estate investment  
22 trust (Sec. 25.20, Art. 6138A, <sup>Vernon's Texas Civil</sup> Revised Statutes) . . . a reasonable  
23 fee;

24 (19-b) an appraiser's fee as court costs for  
25 determining the fair value of the shares of the shareholders  
26 entitled to payment for their shares by the existing, surviving, or  
27 new corporation (Art. 5.12, <sup>Texas</sup> Business Corporation Act) . . . a

1 reasonable fee; [and]

2 (20) to participate in a court proceeding in this  
3 state, a nonresident attorney fee for civil legal services to the  
4 indigent (Sec. 82.0361, Government Code) . . . \$250 except as  
5 waived or reduced under supreme court rules for representing an  
6 indigent person;

7 (21) a witness's fee for one day to be paid by the party  
8 who subpoenas the witness (Sec. 22.001, Civil Practice and Remedies  
9 Code) . . . \$10;

10 (22) on a party's appeal of a final decision in a  
11 contested case, the cost of preparing the original or a certified  
12 copy of the record of the agency proceeding, if required by the  
13 agency's rule, as a court cost (Sec. 2001.177, Government Code)  
14 . . . as assessed by the court, all or part of the cost of  
15 preparation;

16 (23) the costs of arbitration in cases between a  
17 juvenile board and a school district that fail to agree on a  
18 memorandum of understanding related to the juvenile justice  
19 alternative education program (Sec. 37.011, Education Code) . . .  
20 each party its pro rata share of the costs;

21 (24) compensation to a referee in juvenile court in  
22 Wichita County taxed as costs if the judge determines the parties  
23 are able to pay the costs (Sec. 54.403, Government Code) . . . as  
24 determined by the judge;

25 (25) the expense of preserving the record as a court  
26 cost in Brazos County if imposed on a party by the referring court  
27 or magistrate (Sec. 54.1111, Government Code) . . . actual cost;

1           (26) a filing fee or recording fee for each page of a  
2 legal paper presented for filing or recording that fails to meet  
3 certain requirements regarding paper size, weight, substance,  
4 headings, legibility, the presence of typed or printed names under  
5 each signature, and number and size of riders or attachments (Sec.  
6 191.007, Local Government Code) . . . twice the regular filing fee  
7 or recording fee provided by statute for that page, rider, or  
8 attachment;

9           (27) a processing fee as authorized by the  
10 commissioners court for the payment by credit card of a fee, court  
11 cost, or other charge processed by a county or precinct officer  
12 (Secs. 132.002 and 132.003, Local Government Code) . . . an amount  
13 reasonably related to the expense incurred by the county or  
14 precinct officer but not to exceed five percent of the amount of the  
15 fee, court cost, or other charge being paid;

16           (28) a processing fee as authorized by the governing  
17 body of the municipality for the payment by credit card of a fee,  
18 court cost, or other charge processed by a municipal official  
19 (Secs. 132.002 and 132.003, Local Government Code) . . . an amount  
20 reasonably related to the expense incurred by the municipal  
21 official but not to exceed five percent of the amount of the fee,  
22 court cost, or other charge being paid;

23           (29) a handling fee, if authorized by the  
24 commissioners court under Section 132.002, Local Government Code,  
25 for electronically processing the payment of a fee, fine, court  
26 cost, or other charge (Secs. 132.002 and 132.003, Local Government  
27 Code):

1                   (A) charged at a flat rate that does not exceed \$5  
2 for each payment transaction; or

3                   (B) charged at a rate reasonably related to the  
4 expense incurred in processing a payment and that does not exceed  
5 five percent of the amount of the fee, court cost, or other charge  
6 being paid;

7                   (30) a fee, if authorized by the commissioners court,  
8 collected by a county or precinct officer on behalf of the county  
9 from a person making payment by credit card of a fee, court cost, or  
10 other charge (Sec. 132.003, Local Government Code) . . . an amount  
11 equal to the amount of any transaction fee charged to the county by  
12 a vendor providing services in connection with payments made by  
13 credit card;

14                   (31) a fee for sale of securities under an offering  
15 that has not been registered, if the transaction or securities are  
16 not exempt (Art. 581-35-2, <sup>Vernon's Texas Civil</sup> Revised Statutes) . . . as set by the  
17 securities commissioner or court, but not to exceed six/times the  
18 amount that would have been paid if the issuer had filed an  
19 application to register the securities and paid the fee prescribed  
20 based on the amount of sales made in this state within the prior  
21 three years, plus interest on that amount from the date of the first  
22 sale made in this state until the date the fee is paid; and

23                   (32) a fee for mailing an order vacating or staying an  
24 order suspending <sup>a</sup> license to the appropriate licensing authority  
25 (Sec. 232.013, Family Code) . . . \$5 for each order mailed.

26                   SECTION 11. Chapter 104, Government Code, is repealed.

27                   SECTION 12. (a) Sections 1<sup>through</sup>10 of this Act amend provisions

58  
59

1 in Chapters 101, 102, and 103, Government Code, as amended by the  
2 Final Report Regarding Actions to Conform the Statutory Index of  
3 Court Fees and Costs to the Acts of the 78th Legislature. The  
4 report was effective September 3, 2004, and was prepared and  
5 published in accordance with Chapter 104, Government Code, as it  
6 existed before the effective date of this Act. The report is  
7 available at the Texas Legislative Council's Internet website under  
8 the heading "Reports/Documents" at  
9 <http://www.tlc.state.tx.us/tlc.htm>. At that website the report is  
10 identified as the "Final Report" under "Court Fees Project."

11 (b) The legislature finds that the index of court fees and  
12 costs provided by Chapters 101, 102, and 103, Government Code, is  
13 complete with the passage of this Act and the publication of the  
14 report. The legislature also finds that additional reports under  
15 Chapter 104, Government Code, to update the index in the future are  
16 no longer necessary because the updating will occur under the Texas  
17 Legislative Council's permanent statutory revision program. The  
18 council is required, as part of that program, under <sup>subdivision (4), Subsection (c),</sup> Section  
19 323.007 ~~(c) (4)~~, Government Code, to formulate and implement a  
20 continuous revision program of all Texas statutes, which include  
21 the index of court fees and costs.

22 SECTION 13. If any provision of this Act conflicts with a  
23 statute enacted by the 79th Legislature, Regular Session, 2005, the  
24 statute controls.

25 SECTION 14. This Act takes effect September 1, 2005.

## **BILL ANALYSIS**

Senate Research Center  
79R2815 SGA-D

S.B. 291  
By: West, Royce  
Jurisprudence  
3/21/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Until the 78th Legislature, Regular Session, 2003, Texas court costs, fees, and penalties were scattered throughout Texas statutes, making it difficult to assess fees, especially when several costs were to be levied simultaneously. For ease of reference, S.B. 1180, 78th Legislature, Regular Session, added an index of these court costs, fees, and penalties to the Government Code.

As proposed, S.B. 291 updates the index to include fees that were overlooked in S.B. 1180. This bill provides for a complete and comprehensive list of the fees and costs currently in Texas statutes.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 101.061, Government Code, to include the following fees and costs that the clerk of a district court is required to collect:

(22-a)-(22-c) Certain child and spousal support service fees in certain counties, provided those fees are authorized by the appropriate entities; and attorney's fees of \$15 as an additional cost in Montague County on a finding of contempt of court for failure to pay child or spousal support if the contempt action is initiated by the probation department.

(36)-(38) A certain amount of court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate; monthly payments of a certain amount for remaining court fees and costs after the initial payment for that suit; and certain costs not otherwise charged to the inmate under Section 14.006 (Court Fees, Court Costs, Other Costs), Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous.

(39) Fees for performing certain services.

(40) Certain court costs which may include certain expert witness fees.

(41)-(42) A security deposit on filing, by certain persons, certain documents in relation to the estate, if required by the clerk; and a security deposit on filing by certain persons, certain documents in relation to a guardianship matter, if required by the clerk.

(43) A fee of \$5 for filing an additional petition for review of an appraisal review board order relating to certain regulated property running through or operating in more than one county after the first petition for review relating to the same property is filed for a tax year.

Makes nonsubstantive changes.



SECTION 2. Amends Section 101.081, Government Code, to include the following fees and costs that the clerk of a statutory county court is required to collect:

(23)-(25) A certain amount of court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate; monthly payments of a certain amount for remaining court fees and costs after the initial payment for that suit; and certain costs not otherwise charged to the inmate under Section 14.006 (Court Fees, Court Costs, Other Costs), Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous.

(26)-(27) The official court reporter's fee taxed as costs in civil actions in certain statutory county courts in certain counties; and a stenographer's fee of \$25 as costs in each civil, criminal, and probate case in which a record is made by the official court reporter in a statutory county court in Nolan County.

(28)-(29) Certain fees, in Brazoria County and in Nueces County with certain exceptions, in matters of concurrent jurisdiction with the district court.

(30)-(31) A security deposit on filing, by certain persons, certain documents in relation to the estate, if required by the clerk; and a security deposit on filing by certain persons, certain documents in relation to a guardianship matter, if required by the clerk.

(32)-(38) Reasonable compensation to certain persons appointed under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) and certain other fees and costs for a hearing or proceeding under the Texas Mental Health Code; expenses of transporting certain patients from the county of treatment to a hearing in the county in which the proceedings originated; court-approved expenses for expert witness testimony for an indigent patient if authorized by the court as reimbursement to the attorney ad litem; a fee for a judge's services for holding a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50; additional reasonable and necessary expenses, as certified, to reimburse the judge for holding a hearing in a hospital or location other than the county courthouse; and a fee for the services of a prosecuting attorney, including costs incurred for preparation of documents related to a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50.

(39) A fee not otherwise listed in this section that is required to be collected under Section 25.0008 (regarding fees for statutory county courts), Government Code, except in certain counties, as prescribed by the law relating to county judges' fees.

Makes nonsubstantive changes.

SECTION 3. Amends Section 101.101, Government Code, to include the following fees and costs that the clerk of a statutory probate court is required to collect:

(14) The actual cost of preserving the record as a court cost, if imposed on a party by the referring court or associate judge.

(15)-(16) A security deposit on filing, by certain persons, certain documents in relation to the estate, if required by the clerk; and a security deposit on filing by certain persons, certain documents in relation to a guardianship matter, if required by the clerk.

(17)-(23) Reasonable compensation to certain persons appointed under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) and certain other fees and costs for a hearing or proceeding under the Texas Mental Health Code; expenses of transporting certain patients from the county of treatment to a hearing in the county in which the proceedings originated; court-approved expenses for expert witness testimony for an indigent patient if authorized by the court as reimbursement to the attorney ad litem; a fee for a judge's services for holding a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50; additional

reasonable and necessary expenses, as certified, to reimburse the judge for holding a hearing in a hospital or location other than the county courthouse; and a fee for the services of a prosecuting attorney, including costs incurred for preparation of documents related to a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50.

(24) A fee not otherwise listed in this section that is required to be collected under Section 25.0029 (regarding fees for statutory probate courts), Government Code, as prescribed by the law relating to county judges' fees.

Makes nonsubstantive changes.

SECTION 4. Amends Section 101.121, Government Code, to include the following fees and costs that the clerk of a county court is required to collect:

(22)-(24) A certain amount of court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate; monthly payments of a certain amount for remaining court fees and costs after the initial payment for that suit; and certain costs not otherwise charged to the inmate under Section 14.006 (Court Fees, Court Costs, Other Costs), Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous.

(25)-(26) A security deposit on filing, by certain persons, certain documents in relation to the estate, if required by the clerk; and a security deposit on filing by certain persons, certain documents in relation to a guardianship matter, if required by the clerk.

(27)-(33) Reasonable compensation to certain persons appointed under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) and certain other fees and costs for a hearing or proceeding under the Texas Mental Health Code; expenses of transporting certain patients from the county of treatment to a hearing in the county in which the proceedings originated; court-approved expenses for expert witness testimony for an indigent patient if authorized by the court as reimbursement to the attorney ad litem; a fee for a judge's services for holding a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50; additional reasonable and necessary expenses, as certified, to reimburse the judge for holding a hearing in a hospital or location other than the county courthouse; and a fee for the services of a prosecuting attorney, including costs incurred for preparation of documents related to a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50.

Makes nonsubstantive changes.

SECTION 5. Amends Section 101.141, Government Code, as follows:

Sec. 101.141. JUSTICE COURT AND SMALL CLAIMS COURT FEES AND COSTS.

(a) Includes the following fees and costs that the clerk of a justice court is required to collect:

(5)-(7) A certain amount of court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate; monthly payments of a certain amount for remaining court fees and costs after the initial payment for that suit; and certain costs not otherwise charged to the inmate under Section 14.006 (Court Fees, Court Costs, Other Costs), Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous.

(8) The cost, not to exceed \$100, of a special program that a court may order a child to attend after a finding that the child committed an offense, if ordered by the court.

Makes nonsubstantive changes.

(b) Includes the following fees and costs that the justice of the peace is required to collect:

(3)-(5) A certain amount of court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate; monthly payments of a certain amount for remaining court fees and costs after the initial payment for that suit; and certain costs not otherwise charged to the inmate under Section 14.006 (Court Fees, Court Costs, Other Costs), Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous.

Makes nonsubstantive changes.

SECTION 6. Amends Section 101.161, Government Code, to require, rather than authorize, the clerk of a municipal court to collect a \$10 fee for a hearing on probable cause for removal of a vehicle and placement in a storage facility if assessed by the court. Requires the clerk to collect the cost, not to exceed \$100, of a special program that a court may order a child to attend after a finding that the child committed an offense, if ordered by the court. Makes nonsubstantive changes.

SECTION 7. Amends Section 101.181, Government Code, to require the clerk of a municipal court of record to collect the cost, not to exceed \$100, of a special program that a court may order a child to attend after a finding that the child committed an offense, if ordered by the court. Makes nonsubstantive changes.

SECTION 8. Amends Section 102.021, Government Code, to require a person convicted of an offense to pay part or all of the court costs on conviction in a criminal action, if directed by the justice of the peace or municipal court judge hearing the case. Makes nonsubstantive changes.

SECTION 9. Amends Section 103.021, Government Code, to require an accused or a defendant, or a party to a civil suit, as applicable, if ordered by the court or otherwise required, to pay the costs of a criminal magistrate if the court determines that the nonprevailing party is able to defray the costs, in certain amounts in certain counties. Requires the person to pay a collection fee, if authorized by the commissioners court of a county or the governing body of a municipality, for certain debts and accounts receivable and sets forth the amount. Makes nonsubstantive changes.

SECTION 10. Amends Section 103.022, Government Code, to include the following fees and costs in those required to be paid or collected:

(16) A child support service fee in Smith County, not to exceed \$2.50 a month, if court allows assessment by the child support office. Deletes the requirement to collect a child support service fee in Nueces County, not to exceed \$5 per month, if authorized by the county commissioners court.

(19-a)-(19-b) A reasonable appraiser's fee as court costs for determining fair value of the shares of the shareholders entitled to payment for their shares in a real estate investment trust, and a reasonable appraiser's fee for determining the fair value of the shares of the shareholders entitled to payment for their shares by the existing, surviving, or new corporation.

(21) A \$10 witness's fee for one day to be paid by the party who subpoenas the witness.

(22) The cost of preparing the original or a certified copy of the record of the agency proceeding, if required by the agency's rule, on a party's appeal of a final decision in a contested case.

(23) The pro rata costs to each party of arbitration in cases between a juvenile board and a school district that fail to agree on a memorandum of understanding related to the juvenile justice alternative education program.

(24) Compensation to a referee in juvenile court in Wichita County taxed as costs if the judge determines the parties are able to pay the costs.

(25) The actual cost of preserving the record as a court cost in Brazos county if imposed on a party by the referring court or magistrate.

(26) A filing fee or recording fee of twice the regular fee for each page of a legal paper presented for filing or recording that fails to meet certain requirements.

(27)-(30) A certain processing fee, as authorized by the commissioners court, for the payment by a credit card of a fee or other cost processed by a county or precinct officer; a certain processing fee, as authorized by the governing body of the municipality, for the payment by a credit card of a fee or other cost processed by a municipal official; a certain handling fee, if authorized by the commissioners court under Section 132.002 (Payment of Fees or Costs by Credit Card or Electronic Means), Local Government Code, for electronically processing the payment of a fee or other cost; and a fee, if authorized by the commissioners court, collected by a county or precinct officer on behalf of the county from a person making a payment by credit card of a fee or other cost.

(31) A fee, as set by the securities commissioner or court, within certain limits, for sale of securities under an offering that has not been registered, if the transaction or securities are not exempt.

(32) A \$5 fee for mailing an order vacating or staying an order suspending license to the appropriate licensing authority.

Makes nonsubstantive changes.

SECTION 11. Repealer: Chapter 104 (Editorial Powers), Government Code.

SECTION 12. (a) Provides that Sections 1-10 of this Act amend provisions in Chapters 101, 102, and 103, Government Code, as amended by the Final Report Regarding Actions to Conform the Statutory Index of Court Fees and Costs to the Acts of the 78th Legislature. Provides that the report was effective September 3, 2004, and was prepared and published in accordance with Chapter 104 (Editorial Powers), Government Code, as it existed before the effective date of this Act. Provides where the report can be located on the internet.

(b) Sets forth the findings of the legislature that the index of the court fees and costs provided by Chapters 101, 102, and 103, Government Code, is complete with the passage of this Act and the publication of the report. Provides that the legislature also finds that additional reports under Chapter 104, Government Code, to update the index are no longer necessary because the updating will occur under the Texas Legislative Council's permanent statutory revision program. Requires the council, as part of the program, under Section 323.007(c)(4)(requiring the council to implement a continuous statutory revision program), Government Code, to formulate and implement a continuous revision program of all Texas statutes, which include the index of court fees and costs.

SECTION 13. Provides that if any provision of this Act conflicts with a statute enacted by the 79th Legislature, Regular Session, 2005, the statute controls.

SECTION 14. Effective date: September 1, 2005.

1-1 By: West S.B. No. 291  
1-2 (In the Senate - Filed January 27, 2005; February 7, 2005,  
1-3 read first time and referred to Committee on Jurisprudence;  
1-4 March 29, 2005, reported favorably by the following vote: Yeas 5,  
1-5 Nays 0; March 29, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the index of court fees and costs.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 101.061, Government Code, is amended to  
1-11 read as follows:

1-12 Sec. 101.061. DISTRICT COURT FEES AND COSTS. The clerk of a  
1-13 district court shall collect fees and costs as follows:

1-14 (1) filing fee in action with respect to a fraudulent  
1-15 court record or fraudulent lien or claim filed against property  
1-16 (Sec. 12.005, Civil Practice and Remedies Code) . . . \$15;

1-17 (2) fee for service of notice of action with respect to  
1-18 a fraudulent court record or fraudulent lien or claim filed against  
1-19 property (Sec. 12.005, Civil Practice and Remedies Code) . . . not  
1-20 to exceed \$20, if notice delivered in person, or the cost of  
1-21 postage, if service is by registered or certified mail;

1-22 (3) court cost in certain civil cases to establish and  
1-23 maintain an alternative dispute resolution system, if authorized by  
1-24 the county commissioners court (Sec. 152.004, Civil Practice and  
1-25 Remedies Code) . . . not to exceed \$10;

1-26 (4) appellate judicial system filing fees for:

1-27 (A) First or Fourteenth Court of Appeals District  
1-28 (Sec. 22.2021, Government Code) . . . not more than \$5;

1-29 (B) Second Court of Appeals District (Sec.  
1-30 22.2031, Government Code) . . . not more than \$5;

1-31 (C) Fourth Court of Appeals District (Sec.  
1-32 22.2051, Government Code) . . . not more than \$5;

1-33 (D) Fifth Court of Appeals District (Sec.  
1-34 22.2061, Government Code) . . . not more than \$5; and

1-35 (E) Thirteenth Court of Appeals District (Sec.  
1-36 22.2141, Government Code) . . . not more than \$5;

1-37 (5) additional filing fees:

1-38 (A) for each suit filed for insurance contingency  
1-39 fund, if authorized by the county commissioners court (Sec. 51.302,  
1-40 Government Code) . . . not to exceed \$5;

1-41 (B) for each civil suit filed, for court-related  
1-42 purposes for the support of the judiciary and for civil legal  
1-43 services to an indigent:

1-44 (i) for family law cases and proceedings as  
1-45 defined by Section 25.0002, Government Code (Sec. 133.151, Local  
1-46 Government Code) . . . \$45; or

1-47 (ii) for any case other than a case  
1-48 described by Subparagraph (i) (Sec. 133.151, Local Government  
1-49 Code) . . . \$50;

1-50 (C) to fund the improvement of Dallas County  
1-51 civil court facilities, if authorized by the county commissioners  
1-52 court (Sec. 51.705, Government Code) . . . not more than \$15; and

1-53 (D) on the filing of any civil action or  
1-54 proceeding requiring a filing fee, including an appeal, and on the  
1-55 filing of any counterclaim, cross-action, intervention,  
1-56 interpleader, or third-party action requiring a filing fee, to fund  
1-57 civil legal services for the indigent:

1-58 (i) for family law cases and proceedings as  
1-59 defined by Section 25.0002, Government Code (Sec. 133.152, Local  
1-60 Government Code) . . . \$5; or

1-61 (ii) for any case other than a case  
1-62 described by Subparagraph (i) (Sec. 133.152, Local Government  
1-63 Code) . . . \$10;

1-64 (6) for filing a suit, including an appeal from an

inferior court:

(A) for a suit with 10 or fewer plaintiffs (Sec. 51.317, Government Code) . . . \$50;

(B) for a suit with at least 11 but not more than 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

(C) for a suit with at least 26 but not more than 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

(D) for a suit with at least 101 but not more than 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

(E) for a suit with at least 501 but not more than 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

(F) for a suit with more than 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$200;

(7) for filing a cross-action, counterclaim, intervention, contempt action, motion for new trial, or third-party petition (Sec. 51.317, Government Code) . . . \$15;

(8) for issuing a citation or other writ or process not otherwise provided for, including one copy, when requested at the time a suit or action is filed (Sec. 51.317, Government Code) . . . \$8;

(9) for records management and preservation (Sec. 51.317, Government Code) . . . \$10;

(10) for issuing a subpoena, including one copy (Sec. 51.318, Government Code) . . . \$8;

(11) for issuing a citation, commission for deposition, writ of execution, order of sale, writ of execution and order of sale, writ of injunction, writ of garnishment, writ of attachment, or writ of sequestration not provided for in Section 51.317, or any other writ or process not otherwise provided for, including one copy if required by law (Sec. 51.318, Government Code) . . . \$8;

(12) for searching files or records to locate a cause when the docket number is not provided (Sec. 51.318, Government Code) . . . \$5;

(13) for searching files or records to ascertain the existence of an instrument or record in the district clerk's office (Sec. 51.318, Government Code) . . . \$5;

(14) for abstracting a judgment (Sec. 51.318, Government Code) . . . \$8;

(15) for approving a bond (Sec. 51.318, Government Code) . . . \$4;

(16) for a certified copy of a record, judgment, order, pleading, or paper on file or of record in the district clerk's office, including certificate and seal, for each page or part of a page (Sec. 51.318, Government Code) . . . \$1;

(17) for a noncertified copy, for each page or part of a page (Sec. 51.318, Government Code) . . . not to exceed \$1;

(18) jury fee (Sec. 51.604, Government Code) . . . \$30;

(19) for filing a report of divorce or annulment (Sec. 194.002, Health and Safety Code) . . . \$1;

(20) for filing a suit in Comal County (Sec. 152.0522, Human Resources Code) . . . \$4;

(21) additional filing fee for family protection on filing a suit for dissolution of a marriage under Chapter 6, Family Code, if authorized by the county commissioners court (Sec. 51.961, Government Code) . . . not to exceed \$15;

(22) fee on filing a suit for dissolution of a marriage for services of child support department in Harris County, if authorized by the county commissioners court (Sec. 152.1074, Human Resources Code) . . . not to exceed \$12;

(22-a) a child support service fee in Nueces County if ordered by the commissioners court and assessed by the court (Sec. 152.1844, Human Resources Code) . . . not to exceed \$5 a month payable annually in advance;

(22-b) a service fee to be paid by a person ordered by a district court to pay child or spousal support:

(A) in Collin County if authorized by the juvenile board (Sec. 152.0492, Human Resources Code) . . . not to

exceed \$2.50 added to first support payment each month;  
 (B) in Johnson County if authorized by the  
 juvenile board (Sec. 152.1322, Human Resources Code) . . . \$1.00  
 added to first support payment each month; and  
 (C) in Montague County (Sec. 152.1752, Human  
 Resources Code) . . . \$1 if fee is ordered to be paid monthly, 50  
 cents if fee is ordered to be paid semimonthly or weekly;  
 (22-c) attorney's fees as an additional cost in  
 Montague County on a finding of contempt of court for failure to pay  
 child or spousal support if the contempt action is initiated by the  
 probation department (Sec. 152.1752, Human Resources  
 Code) . . . \$15;  
 (23) fee on filing a suit requesting an adoption in  
 Montague County (Sec. 152.1752, Human Resources Code) . . . \$25;  
 (24) court cost on citation for contempt of court for  
 failure to comply with child support order in Nueces County, if  
 authorized by the commissioners court (Sec. 152.1844, Human  
 Resources Code) . . . not to exceed \$10;  
 (25) fee on filing a suit for divorce in Orange County  
 (Sec. 152.1873, Human Resources Code) . . . not less than \$5;  
 (26) court costs on citation for contempt of court in  
 Orange County for failure to comply with a child support order or  
 order providing for possession of or access to a child (Sec.  
 152.1873, Human Resources Code) . . . amount determined by  
 district clerk;  
 (27) fee on filing a suit requesting an adoption in  
 Orange County (Sec. 152.1874, Human Resources Code) . . . not less  
 than \$25;  
 (28) fee on filing a suit requesting an adoption in  
 Wichita County (Sec. 152.2496, Human Resources Code) . . . \$100;  
 (29) additional filing fee to fund the courthouse  
 security fund, if authorized by the county commissioners court  
 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;  
 (30) additional filing fee for filing documents not  
 subject to certain filing fees to fund the courthouse security  
 fund, if authorized by the county commissioners court (Sec.  
 291.008, Local Government Code) . . . \$1;  
 (31) additional filing fee to fund the courthouse  
 security fund in Webb County, if authorized by the county  
 commissioners court (Sec. 291.009, Local Government  
 Code) . . . not to exceed \$20;  
 (32) court cost in civil cases other than suits for  
 delinquent taxes to fund the county law library fund, if authorized  
 by the county commissioners court (Sec. 323.023, Local Government  
 Code) . . . not to exceed \$35;  
 (33) when administering a case for the Rockwall County  
 Court at Law (Sec. 25.2012, Government Code) . . . civil fees and  
 court costs as if the case had been filed in district court;  
 (34) at a hearing held by an associate judge in Dallas  
 County, a court cost to preserve the record, in the absence of a  
 court reporter, by other means (Sec. 54.509, Government  
 Code) . . . as assessed by the referring court or associate judge;  
 [and]  
 (35) at a hearing held by an associate judge in Duval  
 County, a court cost to preserve the record (Sec. 54.1151,  
 Government Code, as added by Chapter 1150, Acts of the 78th  
 Legislature, Regular Session, 2003) . . . as imposed by the  
 referring court or associate judge;  
 (36) court fees and costs, if ordered by the court, for  
 a suit filed by an inmate in which an affidavit or unsworn  
 declaration of inability to pay costs is filed by the inmate (Sec.  
 14.006, Civil Practice and Remedies Code) . . . the lesser of:  
 (A) 20 percent of the preceding six months'  
 deposits to the inmate's trust account administered by the Texas  
 Department of Criminal Justice under Section 501.014, Government  
 Code; or  
 (B) the total amount of court fees and costs;  
 (37) monthly payment for remaining court fees and  
 costs after the initial payment for a suit in which an affidavit or

unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 10 percent of that month's deposit to the inmate's trust account administered by the Texas Department of Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs that remain unpaid;

(38) the following costs not otherwise charged to the inmate under Section 14.006, Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous (Sec. 14.007, Civil Practice and Remedies Code):

(A) expenses of service of process;

(B) postage; and

(C) transportation, housing, or medical care incurred in connection with the appearance of the inmate in the court for any proceeding;

(39) fee for performing a service:

(A) related to the matter of the estate of a deceased person (Sec. 51.319, Government Code) . . . the same fee allowed the county clerk for those services;

(B) related to the matter of a minor (Sec. 51.319, Government Code) . . . the same fee allowed the county clerk for the service;

(C) of serving process by certified or registered mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or constable is authorized to charge for the service under Section 118.131, Local Government Code; and

(D) prescribed or authorized by law but for which no fee is set (Sec. 51.319, Government Code) . . . a reasonable fee;

(40) court costs, which may include expert witness fees in Travis County in an action in which the plaintiff prevails against an insurer for economic damages sustained by the plaintiff as a result of unfair discrimination (Sec. 544.054, Insurance Code) . . . court costs and reasonable and necessary expert witness fees;

(41) security deposit on filing, by any person other than the personal representative of an estate, an application, complaint, or opposition in relation to the estate, if required by the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the proceeding;

(42) security deposit on filing, by any person other than the guardian, attorney ad litem, or guardian ad litem, an application, complaint, or opposition in relation to a guardianship matter, if required by the clerk (Sec. 622, Texas Probate Code) . . . probable cost of the guardianship proceeding; and

(43) fee for filing an additional petition for review of an appraisal review board order relating to certain regulated property running through or operating in more than one county after the first petition for review relating to the same property is filed for a tax year (Sec. 42.221, Tax Code) . . . \$5.

SECTION 2. Section 101.081, Government Code, is amended to read as follows:

Sec. 101.081. STATUTORY COUNTY COURT FEES AND COSTS. The clerk of a statutory county court shall collect fees and costs as follows:

(1) court cost in certain civil cases to establish and maintain an alternative dispute resolution system, if authorized by the county commissioners court (Sec. 152.004, Civil Practice and Remedies Code) . . . not to exceed \$10;

(2) appellate judicial system filing fees:

(A) First or Fourteenth Court of Appeals District (Sec. 22.2021, Government Code) . . . not more than \$5;

(B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . not more than \$5;

(C) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;

(D) Fifth Court of Appeals District (Sec.



22.2061, Government Code) . . . not more than \$5; and  
 (E) Thirteenth Court of Appeals District (Sec. 22.2141, Government Code) . . . not more than \$5;  
 (3) an official court reporter fee, County Court at Law No. 2 of Bexar County (Sec. 25.0172, Government Code) . . . \$3;  
 (4) a court reporter fee when testimony is taken in a county court at law in McLennan County (Sec. 25.1572, Government Code) . . . \$3;  
 (5) a stenographer fee, if a record or part of a record is made:  
 (A) in a county court at law in Hidalgo County (Sec. 25.1102, Government Code) . . . \$20; and  
 (B) in a county court at law in Nolan County (Sec. 25.1792, Government Code) . . . \$25;  
 (6) jury fee (Sec. 51.604, Government Code) . . . \$22;  
 (7) an additional filing fee:  
 (A) for each civil case filed to be used for court-related purposes for the support of the judiciary, if authorized by the county commissioners court (Sec. 51.702, Government Code) . . . \$40;  
 (B) to fund the improvement of Dallas County civil court facilities, if authorized by the county commissioners court (Sec. 51.705, Government Code) . . . not more than \$15; and  
 (C) for filing any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader, or third-party action requiring a filing fee, to fund civil legal services for the indigent (Sec. 133.153, Local Government Code) . . . \$5;  
 (8) for filing an application for registration of death (Sec. 193.007, Health and Safety Code) . . . \$1;  
 (9) fee for judge's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;  
 (10) fee for prosecutor's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;  
 (11) for filing a suit in Comal County (Sec. 152.0522, Human Resources Code) . . . \$4;  
 (12) additional filing fee to fund contingency fund for liability insurance, if authorized by the county commissioners court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;  
 (13) civil court actions (Sec. 118.052, Local Government Code):  
 (A) filing of original action (Secs. 118.052 and 118.053, Local Government Code):  
 (i) garnishment after judgment (Sec. 118.052, Local Government Code) . . . \$15; and  
 (ii) all others (Sec. 118.052, Local Government Code) . . . \$40;  
 (B) filing of action other than original (Secs. 118.052 and 118.054, Local Government Code) . . . \$30; and  
 (C) services rendered after judgment in original action (Secs. 118.052 and 118.0545, Local Government Code):  
 (i) abstract of judgment (Sec. 118.052, Local Government Code) . . . \$5; and  
 (ii) execution, order of sale, writ, or other process (Sec. 118.052, Local Government Code) . . . \$5;  
 (14) probate court actions (Sec. 118.052, Local Government Code):  
 (A) probate original action (Secs. 118.052 and 118.055, Local Government Code):  
 (i) probate of a will with independent executor, administration with will attached, administration of an estate, guardianship or receivership of an estate, or muniment of title (Sec. 118.052, Local Government Code) . . . \$40;  
 (ii) community survivors (Sec. 118.052, Local Government Code) . . . \$40;

6-1 (iii) small estates (Sec. 118.052, Local  
 6-2 Government Code) . . . \$40;  
 6-3 (iv) declarations of heirship (Sec.  
 6-4 118.052, Local Government Code) . . . \$40;  
 6-5 (v) mental health or chemical dependency  
 6-6 services (Sec. 118.052, Local Government Code) . . . \$40; and  
 6-7 (vi) additional, special fee (Secs. 118.052  
 6-8 and 118.064, Local Government Code) . . . \$5;  
 6-9 (B) services in pending probate action (Secs.  
 6-10 118.052 and 118.056, Local Government Code):  
 6-11 (i) filing an inventory and appraisement  
 6-12 after the 120th day after the date of the initial filing of the  
 6-13 action (Sec. 118.052, Local Government Code) . . . \$25;  
 6-14 (ii) approving and recording bond (Sec.  
 6-15 118.052, Local Government Code) . . . \$3;  
 6-16 (iii) administering oath (Sec. 118.052,  
 6-17 Local Government Code) . . . \$2;  
 6-18 (iv) filing annual or final account of  
 6-19 estate (Sec. 118.052, Local Government Code) . . . \$25;  
 6-20 (v) filing application for sale of real or  
 6-21 personal property (Sec. 118.052, Local Government Code) . . . \$25;  
 6-22 and  
 6-23 (vi) filing annual or final report of  
 6-24 guardian of a person (Sec. 118.052, Local Government  
 6-25 Code) . . . \$10;  
 6-26 (C) adverse probate action (Secs. 118.052 and  
 6-27 118.057, Local Government Code) . . . \$40; and  
 6-28 (D) claim against estate (Secs. 118.052 and  
 6-29 118.058, Local Government Code) . . . \$2;  
 6-30 (15) other fees (Sec. 118.052, Local Government Code):  
 6-31 (A) issuing document (Secs. 118.052 and 118.059,  
 6-32 Local Government Code):  
 6-33 (i) original document and one copy (Sec.  
 6-34 118.052, Local Government Code) . . . \$4; and  
 6-35 (ii) each additional set of an original and  
 6-36 one copy (Sec. 118.052, Local Government Code) . . . \$4;  
 6-37 (B) certified papers (Secs. 118.052 and 118.060,  
 6-38 Local Government Code):  
 6-39 (i) for the clerk's certificate (Sec.  
 6-40 118.052, Local Government Code) . . . \$5; and  
 6-41 (ii) a fee per page or part of a page (Sec.  
 6-42 118.052, Local Government Code) . . . \$1;  
 6-43 (C) noncertified papers, for each page or part of  
 6-44 a page (Secs. 118.052 and 118.0605, Local Government  
 6-45 Code) . . . \$1;  
 6-46 (D) letters testamentary, letter of  
 6-47 guardianship, letter of administration, or abstract of judgment  
 6-48 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;  
 6-49 (E) safekeeping of wills (Secs. 118.052 and  
 6-50 118.062, Local Government Code) . . . \$5;  
 6-51 (F) mail service of process (Secs. 118.052 and  
 6-52 118.063, Local Government Code) . . . same as sheriff; and  
 6-53 (G) records management and preservation fee  
 6-54 (Secs. 118.052, 118.0546, and 118.0645, Local Government  
 6-55 Code) . . . \$5;  
 6-56 (16) additional filing fee to fund the courthouse  
 6-57 security fund, if authorized by the county commissioners court  
 6-58 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;  
 6-59 (17) additional filing fee for filing documents not  
 6-60 subject to certain filing fees to fund the courthouse security  
 6-61 fund, if authorized by the county commissioners court (Sec.  
 6-62 291.008, Local Government Code) . . . \$1;  
 6-63 (18) additional filing fee to fund the courthouse  
 6-64 security fund in Webb County, if authorized by the county  
 6-65 commissioners court (Sec. 291.009, Local Government  
 6-66 Code) . . . not to exceed \$20;  
 6-67 (19) court cost in civil cases other than suits for  
 6-68 delinquent taxes to fund the county law library fund, if authorized  
 6-69 by the county commissioners court (Sec. 323.023, Local Government

Code) . . . not to exceed \$35;

(20) fee for deposit of a will with the county clerk during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

(21) court cost for each special commissioner in an eminent domain proceeding (Sec. 21.047, Property Code) . . . as taxed by the court, \$10 or more; ~~and~~

(22) fee for county attorney in a suit regarding a railroad company's failure to keep roadbed and right-of-way in proper condition (Art. 6327, Vernon's Texas Civil Statutes) . . . \$10;

(23) court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 20 percent of the preceding six months' deposits to the inmate's trust account administered by the Texas Department of Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs; (24) monthly payment for remaining court fees and costs after the initial payment for a suit in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 10 percent of that month's deposit to the inmate's trust account administered by the Texas Department of Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs that remain unpaid;

(25) the following costs not otherwise charged to the inmate under Section 14.006, Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous (Sec. 14.007, Civil Practice and Remedies Code):

(A) expenses of service of process;

(B) postage; and

(C) transportation, housing, or medical care incurred in connection with the appearance of the inmate in the court for any proceeding;

(26) the official court reporter's fee taxed as costs in civil actions in a statutory county court:

(A) in Bexar County Courts at Law:

(i) Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 (Sec. 25.0172, Government Code) . . . taxed in the same manner as the fee is taxed in district court; and

(ii) No. 2 (Sec. 25.0172, Government Code) . . . \$3;

(B) in Galveston County (Sec. 25.0862, Government Code) . . . taxed in the same manner as the fee is taxed in civil cases in the district courts; and

(C) in Parker County (Sec. 25.1862, Government Code) . . . taxed in the same manner as the fee is taxed in civil cases in the district courts;

(27) a stenographer's fee as costs in each civil, criminal, and probate case in which a record is made by the official court reporter in a statutory county court in Nolan County (Sec. 25.1792, Government Code) . . . \$25;

(28) in Brazoria County, in matters of concurrent jurisdiction with the district court, fees (Sec. 25.0222, Government Code) . . . as prescribed by law for district judges according to the nature of the matter;

(29) in Nueces County, in matters of concurrent jurisdiction with the district court, with certain exceptions, fees (Sec. 25.1802, Government Code) . . . equal to those in district court cases;

(30) security deposit on filing, by any person other than the personal representative of an estate, an application, complaint, or opposition in relation to the estate, if required by the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the proceeding;

(31) security deposit on filing, by any person other than the guardian, attorney ad litem, or guardian ad litem, an application, complaint, or opposition in relation to a guardianship matter, if required by the clerk (Sec. 622, Texas Probate Code) . . . probable cost of the guardianship proceeding;

(32) for a hearing or proceeding under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as costs (Secs. 571.017 and 571.018, Health and Safety Code) . . . reasonable compensation to the following persons appointed under the Texas Mental Health Code:

- (A) attorneys;
- (B) physicians;
- (C) language interpreters;
- (D) sign interpreters; and
- (E) masters;

(33) for a hearing or proceeding under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as costs (Sec. 571.018, Health and Safety Code):

- (A) attorney's fees;
- (B) physician examination fees;
- (C) expense of transportation to a mental health facility or to a federal agency not to exceed \$50 if transporting within the same county and not to exceed the reasonable cost of transportation if transporting between counties;
- (D) costs and salary supplements authorized under Section 574.031, Health and Safety Code; and
- (E) prosecutors' fees authorized under Section 574.031, Health and Safety Code;

(34) expenses of transporting certain patients from the county of treatment to a hearing in the county in which the proceedings originated (Sec. 574.008, Health and Safety Code) . . . actual expenses unless certain arrangements are made to hold the hearing in the county in which the patient is receiving services;

(35) expenses for expert witness testimony for an indigent patient (Sec. 574.010, Health and Safety Code) . . . if authorized by the court as reimbursement to the attorney ad litem, court-approved expenses;

(36) fee for judge's services for holding a hearing on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . as assessed by the judge, not to exceed \$50;

(37) expenses to reimburse judge for holding a hearing in a hospital or location other than the county courthouse (Sec. 574.031, Health and Safety Code) . . . reasonable and necessary expenses as certified;

(38) fee for services of a prosecuting attorney, including costs incurred for preparation of documents related to a hearing on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . as assessed by the judge, not to exceed \$50; and

(39) a fee not otherwise listed in this section that is required to be collected under Section 25.0008, Government Code (Sec. 25.0008, Government Code), in a county other than Brazos, Cameron, Ellis, Guadalupe, Harris, Henderson, Liberty, Moore, Nolan, Panola, Parker, Starr, Victoria, and Williamson . . . as prescribed by law relating to county judges' fees.

SECTION 3. Section 101.101, Government Code, is amended to read as follows:

Sec. 101.101. STATUTORY PROBATE COURT FEES AND COSTS. The clerk of a statutory probate court shall collect fees and costs as follows:

(1) court cost in certain civil cases to establish and maintain an alternative dispute resolution system, if authorized by the county commissioners court (Sec. 152.004, Civil Practice and Remedies Code) . . . not to exceed \$10;

(2) appellate judicial system filing fees:

- (A) First or Fourteenth Court of Appeals District (Sec. 22.2021, Government Code) . . . not more than \$5;

9-1 (B) Second Court of Appeals District (Sec.  
 9-2 22.2031, Government Code) . . . not more than \$5;  
 9-3 (C) Fourth Court of Appeals District (Sec.  
 9-4 22.2051, Government Code) . . . not more than \$5;  
 9-5 (D) Fifth Court of Appeals District (Sec.  
 9-6 22.2061, Government Code) . . . not more than \$5; and  
 9-7 (E) Thirteenth Court of Appeals District (Sec.  
 9-8 22.2141, Government Code) . . . not more than \$5;  
 9-9 (3) additional filing fees as follows:  
 9-10 (A) for certain cases to be used for  
 9-11 court-related purposes for support of the judiciary, if authorized  
 9-12 by the county commissioners court (Sec. 51.704, Government  
 9-13 Code) . . . \$40;  
 9-14 (B) to fund the improvement of Dallas County  
 9-15 civil court facilities, if authorized by the county commissioners  
 9-16 court (Sec. 51.705, Government Code) . . . not more than \$15; and  
 9-17 (C) for filing any civil action or proceeding  
 9-18 requiring a filing fee, including an appeal, and on the filing of  
 9-19 any counterclaim, cross-action, intervention, interpleader, or  
 9-20 third-party action requiring a filing fee to fund civil legal  
 9-21 services for the indigent (Sec. 133.153, Local Government  
 9-22 Code) . . . \$5;  
 9-23 (4) for filing an application for registration of  
 9-24 death (Sec. 193.007, Health and Safety Code) . . . \$1;  
 9-25 (5) fee for judge's services on an application for  
 9-26 court-ordered mental health services (Sec. 574.031, Health and  
 9-27 Safety Code) . . . not to exceed \$50;  
 9-28 (6) fee for prosecutor's services on an application  
 9-29 for court-ordered mental health services (Sec. 574.031, Health and  
 9-30 Safety Code) . . . not to exceed \$50;  
 9-31 (7) additional filing fee to fund contingency fund for  
 9-32 liability insurance, if authorized by the county commissioners  
 9-33 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;  
 9-34 (8) probate court actions (Sec. 118.052, Local  
 9-35 Government Code):  
 9-36 (A) probate original action (Secs. 118.052 and  
 9-37 118.055, Local Government Code):  
 9-38 (i) probate of a will with independent  
 9-39 executor, administration with will attached, administration of an  
 9-40 estate, guardianship or receivership of an estate, or muniment of  
 9-41 title (Sec. 118.052, Local Government Code) . . . \$40;  
 9-42 (ii) community survivors (Sec. 118.052,  
 9-43 Local Government Code) . . . \$40;  
 9-44 (iii) small estates (Sec. 118.052, Local  
 9-45 Government Code) . . . \$40;  
 9-46 (iv) declarations of heirship (Sec.  
 9-47 118.052, Local Government Code) . . . \$40;  
 9-48 (v) mental health or chemical dependency  
 9-49 services (Sec. 118.052, Local Government Code) . . . \$40; and  
 9-50 (vi) additional, special fee (Secs. 118.052  
 9-51 and 118.064, Local Government Code) . . . \$5;  
 9-52 (B) services in pending probate action (Secs.  
 9-53 118.052 and 118.056, Local Government Code):  
 9-54 (i) filing an inventory and appraisal  
 9-55 after the 120th day after the date of the initial filing of the  
 9-56 action (Sec. 118.052, Local Government Code) . . . \$25;  
 9-57 (ii) approving and recording bond (Sec.  
 9-58 118.052, Local Government Code) . . . \$3;  
 9-59 (iii) administering oath (Sec. 118.052,  
 9-60 Local Government Code) . . . \$2;  
 9-61 (iv) filing annual or final account of  
 9-62 estate (Sec. 118.052, Local Government Code) . . . \$25;  
 9-63 (v) filing application for sale of real or  
 9-64 personal property (Sec. 118.052, Local Government Code) . . . \$25;  
 9-65 and  
 9-66 (vi) filing annual or final report of  
 9-67 guardian of a person (Sec. 118.052, Local Government  
 9-68 Code) . . . \$10;  
 9-69 (C) adverse probate action (Secs. 118.052 and

118.057, Local Government Code) . . . \$40; and  
 (D) claim against estate (Secs. 118.052 and 118.058, Local Government Code) . . . \$2;  
 (9) other fees (Sec. 118.052, Local Government Code):  
 (A) issuing document (Secs. 118.052 and 118.059, Local Government Code):  
 (i) original document and one copy (Sec. 118.052, Local Government Code) . . . \$4; and  
 (ii) each additional set of an original and one copy (Sec. 118.052, Local Government Code) . . . \$4;  
 (B) certified papers (Secs. 118.052 and 118.060, Local Government Code):  
 (i) for the clerk's certificate (Sec. 118.052, Local Government Code) . . . \$5; and  
 (ii) a fee per page or part of a page (Sec. 118.052, Local Government Code) . . . \$1;  
 (C) noncertified papers, for each page or part of a page (Secs. 118.052 and 118.0605, Local Government Code) . . . \$1;  
 (D) letters testamentary, letter of guardianship, letter of administration, or abstract of judgment (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;  
 (E) safekeeping of wills (Secs. 118.052 and 118.062, Local Government Code) . . . \$5;  
 (F) mail service of process (Secs. 118.052 and 118.063, Local Government Code) . . . same as sheriff; and  
 (G) records management and preservation fee (Secs. 118.052 and 118.0645, Local Government Code) . . . \$5;  
 (10) fee for deposit of a will with the county clerk during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;  
 (11) court costs for each special commissioner in an eminent domain proceeding (Sec. 21.047, Property Code) . . . as taxed by the court, \$10 or more;  
 (12) jury fee for civil case (Sec. 51.604, Government Code) . . . \$22; ~~and~~  
 (13) court cost in civil cases other than suits for delinquent taxes to fund the county law library fund, if authorized by the county commissioners court (Sec. 323.023, Local Government Code) . . . not to exceed \$35;  
 (14) the expense of preserving the record as a court cost, if imposed on a party by the referring court or associate judge (Sec. 54.612, Government Code) . . . actual cost;  
 (15) security deposit on filing, by any person other than the personal representative of an estate, an application, complaint, or opposition in relation to the estate, if required by the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the proceeding;  
 (16) security deposit on filing, by any person other than the guardian, attorney ad litem, or guardian ad litem, an application, complaint, or opposition in relation to a guardianship matter, if required by the clerk (Sec. 622, Texas Probate Code) . . . probable cost of the guardianship proceeding;  
 (17) for a hearing or proceeding under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as costs (Secs. 571.017 and 571.018, Health and Safety Code) . . . reasonable compensation to the following persons appointed under the Texas Mental Health Code:  
 (A) attorneys;  
 (B) physicians;  
 (C) language interpreters;  
 (D) sign interpreters; and  
 (E) masters;  
 (18) for a hearing or proceeding under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as costs (Sec. 571.018, Health and Safety Code):  
 (A) attorney's fees;  
 (B) physician examination fees;  
 (C) expense of transportation to a mental health facility or to a federal agency not to exceed \$50 if transporting

within the same county and not to exceed the reasonable cost of transportation if transporting between counties;

(D) costs and salary supplements authorized under Section 574.031, Health and Safety Code; and

(E) prosecutors' fees authorized under Section 574.031, Health and Safety Code;

(19) expenses of transporting certain patients from the county of treatment to a hearing in the county in which the proceedings originated (Sec. 574.008, Health and Safety Code) . . . actual expenses unless certain arrangements are made to hold the hearing in the county in which the patient is receiving services;

(20) expenses for expert witness testimony for an indigent patient (Sec. 574.010, Health and Safety Code) . . . if authorized by the court as reimbursement to the attorney ad litem, court-approved expenses;

(21) fee for judge's services for holding a hearing on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . as assessed by the judge, not to exceed \$50;

(22) expenses to reimburse judge for holding a hearing in a hospital or location other than the county courthouse (Sec. 574.031, Health and Safety Code) . . . reasonable and necessary expenses as certified;

(23) fee for services of a prosecuting attorney, including costs incurred for preparation of documents related to a hearing on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . as assessed by the judge, not to exceed \$50; and

(24) a fee not otherwise listed in this section that is required to be collected under Section 25.0029, Government Code (Sec. 25.0029, Government Code) . . . as prescribed by law relating to county judges' fees.

SECTION 4. Section 101.121, Government Code, is amended to read as follows:

Sec. 101.121. COUNTY COURT FEES AND COSTS. The clerk of a county court shall collect:

(1) fee for hearing on application for a license to manufacture, distribute, store, or sell beer (Sec. 61.31, Alcoholic Beverage Code) . . . \$5;

(2) court cost in certain civil cases to establish and maintain an alternative dispute resolution system, if authorized by the county commissioners court (Sec. 152.004, Civil Practice and Remedies Code) . . . not to exceed \$10;

(3) appellate judicial system filing fees:

(A) First or Fourteenth Court of Appeals District (Sec. 22.2021, Government Code) . . . not more than \$5;

(B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . not more than \$5;

(C) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;

(D) Fifth Court of Appeals District (Sec. 22.2061, Government Code) . . . not more than \$5; and

(E) Thirteenth Court of Appeals District (Sec. 22.2141, Government Code) . . . not more than \$5;

(4) a jury fee (Sec. 51.604, Government Code) . . . \$22;

(5) a filing fee in each civil case filed to be used for court-related purposes for the support of the judiciary (Sec. 51.703, Government Code) . . . \$40;

(6) for filing an application for registration of death (Sec. 193.007, Health and Safety Code) . . . \$1;

(7) fee for judge's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;

(8) fee for prosecutor's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;

(9) additional filing fee to fund contingency fund for

liability insurance, if authorized by the county commissioners court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

(10) civil court actions (Sec. 118.052, Local Government Code):

(A) filing of original action (Secs. 118.052 and 118.053, Local Government Code):

(i) garnishment after judgment (Sec. 118.052, Local Government Code) . . . \$15; and

(ii) all others (Sec. 118.052, Local Government Code) . . . \$40;

(B) filing of action other than original (Secs. 118.052 and 118.054, Local Government Code) . . . \$30; and

(C) services rendered after judgment in original action (Secs. 118.052 and 118.0545, Local Government Code):

(i) abstract of judgment (Sec. 118.052, Local Government Code) . . . \$5; and

(ii) execution, order of sale, writ, or other process (Sec. 118.052, Local Government Code) . . . \$5;

(11) probate court actions (Sec. 118.052, Local Government Code):

(A) probate original action (Secs. 118.052 and 118.055, Local Government Code):

(i) probate of a will with independent executor, administration with will attached, administration of an estate, guardianship or receivership of an estate, or muniment of title (Sec. 118.052, Local Government Code) . . . \$40;

(ii) community survivors (Sec. 118.052, Local Government Code) . . . \$40;

(iii) small estates (Sec. 118.052, Local Government Code) . . . \$40;

(iv) declarations of heirship (Sec. 118.052, Local Government Code) . . . \$40;

(v) mental health or chemical dependency services (Sec. 118.052, Local Government Code) . . . \$40; and

(vi) additional, special fee (Secs. 118.052 and 118.064, Local Government Code) . . . \$5;

(B) services in pending probate action (Secs. 118.052 and 118.056, Local Government Code):

(i) filing an inventory and appraisal after the 120th day after the date of the initial filing of the action (Sec. 118.052, Local Government Code) . . . \$25;

(ii) approving and recording bond (Sec. 118.052, Local Government Code) . . . \$3;

(iii) administering oath (Sec. 118.052, Local Government Code) . . . \$2;

(iv) filing annual or final account of estate (Sec. 118.052, Local Government Code) . . . \$25;

(v) filing application for sale of real or personal property (Sec. 118.052, Local Government Code) . . . \$25; and

(vi) filing annual or final report of guardian of a person (Sec. 118.052, Local Government Code) . . . \$10;

(C) adverse probate action (Secs. 118.052 and 118.057, Local Government Code) . . . \$40; and

(D) claim against estate (Secs. 118.052 and 118.058, Local Government Code) . . . \$2;

(12) other fees (Sec. 118.052, Local Government Code):

(A) issuing document (Secs. 118.052 and 118.059, Local Government Code):

(i) original document and one copy (Sec. 118.052, Local Government Code) . . . \$4; and

(ii) each additional set of an original and one copy (Sec. 118.052, Local Government Code) . . . \$4;

(B) certified papers (Secs. 118.052 and 118.060, Local Government Code):

(i) for the clerk's certificate (Sec. 118.052, Local Government Code) . . . \$5; and

(ii) a fee per page or part of a page (Sec.



13-1 118.052, Local Government Code) . . . \$1;  
13-2 (C) noncertified papers, for each page or part of  
13-3 a page (Secs. 118.052 and 118.0605, Local Government  
13-4 Code) . . . \$1;  
13-5 (D) letters testamentary, letter of  
13-6 guardianship, letter of administration, or abstract of judgment  
13-7 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;  
13-8 (E) safekeeping of wills (Secs. 118.052 and  
13-9 118.062, Local Government Code) . . . \$5;  
13-10 (F) mail service of process (Secs. 118.052 and  
13-11 118.063, Local Government Code) . . . same as sheriff; and  
13-12 (G) records management and preservation fee  
13-13 (Secs. 118.052, 118.0546, and 118.0645, Local Government  
13-14 Code) . . . \$5;  
13-15 (13) deposit on filing petition requesting permission  
13-16 to create a municipal civic center authority (Sec. 281.013, Local  
13-17 Government Code) . . . \$200;  
13-18 (14) additional filing fee to fund the courthouse  
13-19 security fund, if authorized by the county commissioners court  
13-20 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;  
13-21 (15) additional filing fee for filing documents not  
13-22 subject to certain filing fees to fund the courthouse security  
13-23 fund, if authorized by the county commissioners court (Sec.  
13-24 291.008, Local Government Code) . . . \$1;  
13-25 (16) additional filing fee to fund the courthouse  
13-26 security fund in Webb County, if authorized by the county  
13-27 commissioners court (Sec. 291.009, Local Government  
13-28 Code) . . . not to exceed \$20;  
13-29 (17) court cost in civil cases other than suits for  
13-30 delinquent taxes to fund the county law library fund, if authorized  
13-31 by the county commissioners court (Sec. 323.023, Local Government  
13-32 Code) . . . not to exceed \$35;  
13-33 (18) fee for deposit of a will with the county clerk  
13-34 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;  
13-35 (19) fee for county attorney in a suit regarding a  
13-36 railroad company's failure to keep roadbed and right-of-way in  
13-37 proper condition (Art. 6327, Vernon's Texas Civil  
13-38 Statutes) . . . \$10;  
13-39 (20) appeal bond from a petitioner or taxpayer in a  
13-40 water control and preservation district (Art. 7818, Vernon's Texas  
13-41 Civil Statutes) . . . \$100; ~~and~~  
13-42 (21) additional filing fee for filing any civil action  
13-43 or proceeding requiring a filing fee, including an appeal, and on  
13-44 the filing of any counterclaim, cross-action, intervention,  
13-45 interpleader, or third-party action requiring a filing fee, to fund  
13-46 civil legal services for the indigent (Sec. 133.153, Local  
13-47 Government Code) . . . \$5;  
13-48 (22) court fees and costs, if ordered by the court, for  
13-49 a suit filed by an inmate in which an affidavit or unsworn  
13-50 declaration of inability to pay costs is filed by the inmate (Sec.  
13-51 14.006, Civil Practice and Remedies Code) . . . the lesser of:  
13-52 (A) 20 percent of the preceding six months'  
13-53 deposits to the inmate's trust account administered by the Texas  
13-54 Department of Criminal Justice under Section 501.014, Government  
13-55 Code; or  
13-56 (B) the total amount of court fees and costs;  
13-57 (23) monthly payment for remaining court fees and  
13-58 costs after the initial payment for a suit in which an affidavit or  
13-59 unsworn declaration of inability to pay costs is filed by the inmate  
13-60 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser  
13-61 of:  
13-62 (A) 10 percent of that month's deposit to the  
13-63 inmate's trust account administered by the Texas Department of  
13-64 Criminal Justice under Section 501.014, Government Code; or  
13-65 (B) the total amount of court fees and costs that  
13-66 remain unpaid;  
13-67 (24) the following costs not otherwise charged to the  
13-68 inmate under Section 14.006, Civil Practice and Remedies Code, if  
13-69 the inmate has previously filed an action dismissed as malicious or

frivolous (Sec. 14.007, Civil Practice and Remedies Code):

(A) expenses of service of process;  
 (B) postage; and  
 (C) transportation, housing, or medical care incurred in connection with the appearance of the inmate in the court for any proceeding;

(25) security deposit on filing, by any person other than the personal representative of an estate, an application, complaint, or opposition in relation to the estate, if required by the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the proceeding;

(26) security deposit on filing, by any person other than the guardian, attorney ad litem, or guardian ad litem, an application, complaint, or opposition in relation to a guardianship matter, if required by the clerk (Sec. 622, Texas Probate Code) . . . probable cost of the guardianship proceeding;

(27) for a hearing or proceeding under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as costs (Secs. 571.017 and 571.018, Health and Safety Code) . . . reasonable compensation to the following persons appointed under the Texas Mental Health Code:

(A) attorneys;  
 (B) physicians;  
 (C) language interpreters;  
 (D) sign interpreters; and  
 (E) masters;

(28) for a hearing or proceeding under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as costs (Sec. 571.018, Health and Safety Code):

(A) attorney's fees;  
 (B) physician examination fees;  
 (C) expense of transportation to a mental health facility or to a federal agency not to exceed \$50 if transporting within the same county and not to exceed the reasonable cost of transportation if transporting between counties;  
 (D) costs and salary supplements authorized under Section 574.031, Health and Safety Code; and  
 (E) prosecutors' fees authorized under Section 574.031, Health and Safety Code;

(29) expenses of transporting certain patients from the county of treatment to a hearing in the county in which the proceedings originated (Sec. 574.008, Health and Safety Code) . . . actual expenses unless certain arrangements are made to hold the hearing in the county in which the patient is receiving services;

(30) expenses for expert witness testimony for an indigent patient (Sec. 574.010, Health and Safety Code) . . . if authorized by the court as reimbursement to the attorney ad litem, court-approved expenses;

(31) fee for judge's services for holding a hearing on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . as assessed by the judge, not to exceed \$50;

(32) expenses to reimburse judge for holding a hearing in a hospital or location other than the county courthouse (Sec. 574.031, Health and Safety Code) . . . reasonable and necessary expenses as certified; and

(33) fee for services of a prosecuting attorney, including costs incurred for preparation of documents related to a hearing on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . as assessed by the judge, not to exceed \$50.

SECTION 5. Section 101.141, Government Code, is amended to read as follows:

Sec. 101.141. JUSTICE COURT AND SMALL CLAIMS COURT FEES AND COSTS. (a) A clerk of a justice court shall collect fees and costs as follows:

(1) additional court cost in certain civil cases to establish and maintain an alternative dispute resolution system, if

authorized by the commissioners court of a county with a population of at least 2.5 million (Sec. 152.005, Civil Practice and Remedies Code) . . . not to exceed \$3;

(2) additional filing fees:

(A) to fund Dallas County civil court facilities (Sec. 51.705, Government Code) . . . not more than \$15; and

(B) for filing any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader, or third-party action requiring a filing fee, to fund civil legal services for the indigent (Sec. 133.153, Local Government Code) . . . \$2;

(3) for filing a suit in Comal County (Sec. 152.0522, Human Resources Code) . . . \$1.50; ~~and~~

(4) fee for hearing on probable cause for removal of a vehicle and placement in a storage facility if assessed by the court (Sec. 685.008, Transportation Code) . . . \$10;

(5) court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 20 percent of the preceding six months' deposits to the inmate's trust account administered by the Texas Department of Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs;

(6) monthly payment for remaining court fees and costs after the initial payment for a suit in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 10 percent of that month's deposit to the inmate's trust account administered by the Texas Department of Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs that remain unpaid;

(7) the following costs not otherwise charged to the inmate under Section 14.006, Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous (Sec. 14.007, Civil Practice and Remedies Code):

(A) expenses of service of process;

(B) postage; and

(C) transportation, housing, or medical care incurred in connection with the appearance of the inmate in the court for any proceeding; and

(8) the cost of a special program that a court may order a child to attend after a finding that the child committed an offense, if ordered by the court (Art. 45.057, Code of Criminal Procedure) . . . costs of the program not to exceed \$100.

(b) A justice of the peace shall collect the following fees:

(1) services rendered before judgment (Secs. 118.121 and 118.122, Local Government Code):

(A) justice court (Sec. 118.121, Local Government Code) . . . \$15; and

(B) small claims court (Sec. 118.121, Local Government Code) . . . \$10; ~~and~~

(2) services rendered after judgment (Secs. 118.121 and 118.123, Local Government Code):

(A) transcript (Sec. 118.121, Local Government Code) . . . \$10;

(B) abstract of judgment (Sec. 118.121, Local Government Code) . . . \$5;

(C) execution, order of sale, writ of restitution, or other writ or process (Sec. 118.121, Local Government Code) . . . \$5 per page;

(D) certified copy of court papers (Secs. 118.121 and 118.1235, Local Government Code) . . . \$2 for first page; \$0.25 for each additional page; and

(E) issuing other document (no return required)

16-1 (Sec. 118.121, Local Government Code) . . . \$1 for first page;  
16-2 \$0.25 for each additional page;  
16-3 (3) court fees and costs, if ordered by the court, for  
16-4 a suit filed by an inmate in which an affidavit or unsworn  
16-5 declaration of inability to pay costs is filed by the inmate (Sec.  
16-6 14.006, Civil Practice and Remedies Code) . . . the lesser of:  
16-7 (A) 20 percent of the preceding six months'  
16-8 deposits to the inmate's trust account administered by the Texas  
16-9 Department of Criminal Justice under Section 501.014, Government  
16-10 Code; or  
16-11 (B) the total amount of court fees and costs;  
16-12 (4) monthly payment for remaining court fees and costs  
16-13 after the initial payment for a suit in which an affidavit or  
16-14 unsworn declaration of inability to pay costs is filed by the inmate  
16-15 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser  
16-16 of:  
16-17 (A) 10 percent of that month's deposit to the  
16-18 inmate's trust account administered by the Texas Department of  
16-19 Criminal Justice under Section 501.014, Government Code; or  
16-20 (B) the total amount of court fees and costs that  
16-21 remain unpaid; and  
16-22 (5) the following costs not otherwise charged to the  
16-23 inmate under Section 14.006, Civil Practice and Remedies Code, if  
16-24 the inmate has previously filed an action dismissed as malicious or  
16-25 frivolous (Sec. 14.007, Civil Practice and Remedies Code):  
16-26 (A) expenses of service of process;  
16-27 (B) postage; and  
16-28 (C) transportation, housing, or medical care  
16-29 incurred in connection with the appearance of the inmate in the  
16-30 court for any proceeding.  
16-31 SECTION 6. Section 101.161, Government Code, is amended to  
16-32 read as follows:  
16-33 Sec. 101.161. MUNICIPAL COURT FEES AND COSTS. The clerk of  
16-34 a municipal court shall collect:  
16-35 (1) ~~may collect~~ a fee for a hearing on probable cause  
16-36 for removal of a vehicle and placement in a storage facility if  
16-37 assessed by the court (Sec. 685.008, Transportation  
16-38 Code) . . . \$10; and  
16-39 (2) the cost of a special program that a court may  
16-40 order a child to attend after finding that the child committed an  
16-41 offense, if ordered by the court (Art. 45.057, Code of Criminal  
16-42 Procedure) . . . costs of the program not to exceed \$100.  
16-43 SECTION 7. Section 101.181, Government Code, is amended to  
16-44 read as follows:  
16-45 Sec. 101.181. MUNICIPAL COURTS OF RECORD FEES AND COSTS.  
16-46 The clerk of a municipal court of record shall collect the following  
16-47 fees and costs:  
16-48 (1) from an appellant, a transcript preparation fee  
16-49 (Sec. 30.00014, Government Code) . . . \$25;  
16-50 (2) from an appellant in the City of El Paso, an  
16-51 appellate court docket fee (Sec. 30.00147, Government  
16-52 Code) . . . \$25; ~~and~~  
16-53 (3) fee for hearing on probable cause for removal of a  
16-54 vehicle and placement in a storage facility if assessed by the court  
16-55 (Sec. 685.008, Transportation Code) . . . \$10;  
16-56 and  
16-57 (4) the cost of a special program that a court may  
16-58 order a child to attend after finding that the child committed an  
16-59 offense, if ordered by the court (Art. 45.057, Code of Criminal  
16-60 Procedure) . . . costs of the program, not to exceed \$100.  
16-61 SECTION 8. Section 102.021, Government Code, is amended to  
16-62 read as follows:  
16-63 Sec. 102.021. COURT COSTS ON CONVICTION. A person  
16-64 convicted of an offense shall pay, in addition to all other costs:  
16-65 (1) court costs on conviction of a felony (Sec.  
16-66 133.102, Local Government Code) . . . \$133;  
16-67 (2) court costs on conviction of a Class A or Class B  
16-68 misdemeanor (Sec. 133.102, Local Government Code) . . . \$83;  
16-69 (3) court costs on conviction of a nonjailable

17-1 misdemeanor offense, including a criminal violation of a municipal  
 17-2 ordinance, other than a conviction of an offense relating to a  
 17-3 pedestrian or the parking of a motor vehicle (Sec. 133.102, Local  
 17-4 Government Code) . . . \$40;  
 17-5 (4) court costs on certain convictions in statutory  
 17-6 county courts (Sec. 51.702, Government Code) . . . \$15;  
 17-7 (5) court costs on certain convictions in certain  
 17-8 county courts (Sec. 51.703, Government Code) . . . \$15;  
 17-9 (6) a time payment fee if convicted of a felony or  
 17-10 misdemeanor for paying any part of a fine, court costs, or  
 17-11 restitution on or after the 31st day after the date on which a  
 17-12 judgment is entered assessing the fine, court costs, or restitution  
 17-13 (Sec. 133.103, Local Government Code) . . . \$25;  
 17-14 (7) a fee for services of prosecutor (Art. 102.008,  
 17-15 Code of Criminal Procedure) . . . \$25;  
 17-16 (8) fees for services of peace officer:  
 17-17 (A) issuing a written notice to appear in court  
 17-18 for certain violations (Art. 102.011, Code of Criminal  
 17-19 Procedure) . . . \$5;  
 17-20 (B) executing or processing an issued arrest  
 17-21 warrant or capias (Art. 102.011, Code of Criminal  
 17-22 Procedure) . . . \$50;  
 17-23 (C) summoning a witness (Art. 102.011, Code of  
 17-24 Criminal Procedure) . . . \$5;  
 17-25 (D) serving a writ not otherwise listed (Art.  
 17-26 102.011, Code of Criminal Procedure) . . . \$35;  
 17-27 (E) taking and approving a bond and, if  
 17-28 necessary, returning the bond to courthouse (Art. 102.011, Code of  
 17-29 Criminal Procedure) . . . \$10;  
 17-30 (F) commitment or release (Art. 102.011, Code of  
 17-31 Criminal Procedure) . . . \$5;  
 17-32 (G) summoning a jury (Art. 102.011, Code of  
 17-33 Criminal Procedure) . . . \$5;  
 17-34 (H) attendance of a prisoner in habeas corpus  
 17-35 case if prisoner has been remanded to custody or held to bail (Art.  
 17-36 102.011, Code of Criminal Procedure) . . . \$8 each day;  
 17-37 (I) mileage for certain services performed (Art.  
 17-38 102.011, Code of Criminal Procedure) . . . \$0.29 per mile; and  
 17-39 (J) services of a sheriff or constable who serves  
 17-40 process and attends examining trial in certain cases (Art. 102.011,  
 17-41 Code of Criminal Procedure) . . . not to exceed \$5;  
 17-42 (9) services of a peace officer in conveying a witness  
 17-43 outside the county (Art. 102.011, Code of Criminal  
 17-44 Procedure) . . . \$10 per day or part of a day, plus actual  
 17-45 necessary travel expenses;  
 17-46 (10) overtime of peace officer for time spent  
 17-47 testifying in the trial or traveling to or from testifying in the  
 17-48 trial (Art. 102.011, Code of Criminal Procedure) . . . actual  
 17-49 cost;  
 17-50 (11) court costs on an offense relating to rules of the  
 17-51 road, when offense occurs within a school crossing zone (Art.  
 17-52 102.014, Code of Criminal Procedure) . . . \$25;  
 17-53 (12) court costs on an offense of passing a school bus  
 17-54 (Art. 102.014, Code of Criminal Procedure) . . . \$25;  
 17-55 (13) court costs on an offense of truancy or  
 17-56 contributing to truancy (Art. 102.014, Code of Criminal  
 17-57 Procedure) . . . \$20;  
 17-58 (14) cost for visual recording of intoxication arrest  
 17-59 before conviction (Art. 102.018, Code of Criminal  
 17-60 Procedure) . . . \$15;  
 17-61 (15) cost of certain evaluations (Art. 102.018, Code  
 17-62 of Criminal Procedure) . . . actual cost;  
 17-63 (16) additional costs attendant to certain  
 17-64 intoxication convictions under Chapter 49, Penal Code, for  
 17-65 emergency medical services, trauma facilities, and trauma care  
 17-66 systems (Art. 102.0185, Code of Criminal Procedure) . . . \$100;  
 17-67 (17) cost for DNA testing for certain felonies (Art.  
 17-68 102.020, Code of Criminal Procedure) . . . \$250;  
 17-69 (18) court cost on an offense of public lewdness or

18-1 indecent exposure (Art. 102.020, Code of Criminal  
 18-2 Procedure) . . . \$50;  
 18-3 (19) court cost on conviction of a misdemeanor under  
 18-4 Subtitle C, Title 7, Transportation Code (Sec. 542.403,  
 18-5 Transportation Code) . . . \$3;  
 18-6 (20) cost for impoundment of vehicle (Sec. 601.263,  
 18-7 Transportation Code) . . . \$15 per day; ~~and~~  
 18-8 (21) a civil and criminal enforcement cost on  
 18-9 conviction of an offense of, or related to, the nonpayment of a toll  
 18-10 in certain counties (Sec. 284.2031, Transportation Code) . . . \$1;  
 18-11 and  
 18-12 (22) if directed by the justice of the peace or  
 18-13 municipal court judge hearing the case, court costs on conviction  
 18-14 in a criminal action (Art. 45.041, Code of Criminal  
 18-15 Procedure) . . . part or all of the costs as directed by the judge.  
 18-16 SECTION 9. Section 103.021, Government Code, is amended to  
 18-17 read as follows:  
 18-18 Sec. 103.021. ADDITIONAL FEES AND COSTS IN CRIMINAL OR  
 18-19 CIVIL CASES. An accused or defendant, or a party to a civil suit, as  
 18-20 applicable, shall pay the following fees and costs if ordered by the  
 18-21 court or otherwise required:  
 18-22 (1) a personal bond fee (Art. 17.42, Code of Criminal  
 18-23 Procedure) . . . the greater of \$20 or three percent of the amount  
 18-24 of the bail fixed for the accused;  
 18-25 (2) cost of electronic monitoring as a condition of  
 18-26 release on personal bond (Art. 17.43, Code of Criminal  
 18-27 Procedure) . . . actual cost;  
 18-28 (3) a fee for verification of and monitoring of motor  
 18-29 vehicle ignition interlock (Art. 17.441, Code of Criminal  
 18-30 Procedure) . . . not to exceed \$10;  
 18-31 (4) repayment of reward paid by a crime stoppers  
 18-32 organization on conviction of a felony (Art. 37.073, Code of  
 18-33 Criminal Procedure) . . . amount ordered;  
 18-34 (5) reimbursement to general revenue fund for payments  
 18-35 made to victim of an offense as condition of community supervision  
 18-36 (Art. 42.12, Code of Criminal Procedure) . . . not to exceed \$50  
 18-37 for a misdemeanor offense or \$100 for a felony offense;  
 18-38 (6) payment to a crime stoppers organization as  
 18-39 condition of community supervision (Art. 42.12, Code of Criminal  
 18-40 Procedure) . . . not to exceed \$50;  
 18-41 (7) children's advocacy center fee (Art. 42.12, Code  
 18-42 of Criminal Procedure) . . . not to exceed \$50;  
 18-43 (8) family violence shelter center fee (Art. 42.12,  
 18-44 Code of Criminal Procedure) . . . not to exceed \$100;  
 18-45 (9) community supervision fee (Art. 42.12, Code of  
 18-46 Criminal Procedure) . . . not less than \$25 or more than \$60 per  
 18-47 month;  
 18-48 (10) additional community supervision fee for certain  
 18-49 offenses (Art. 42.12, Code of Criminal Procedure) . . . \$5 per  
 18-50 month;  
 18-51 (11) for certain financially able sex offenders as a  
 18-52 condition of community supervision, the costs of treatment,  
 18-53 specialized supervision, or rehabilitation (Art. 42.12, Code of  
 18-54 Criminal Procedure) . . . all or part of the reasonable and  
 18-55 necessary costs of the treatment, supervision, or rehabilitation as  
 18-56 determined by the judge;  
 18-57 (12) fee for failure to appear for trial in a justice  
 18-58 or municipal court if a jury trial is not waived (Art. 45.026, Code  
 18-59 of Criminal Procedure) . . . costs incurred for impaneling the  
 18-60 jury;  
 18-61 (13) costs of certain testing, assessments, or  
 18-62 programs during a deferral period (Art. 45.051, Code of Criminal  
 18-63 Procedure) . . . amount ordered;  
 18-64 (14) special expense on dismissal of certain  
 18-65 misdemeanor complaints (Art. 45.051, Code of Criminal  
 18-66 Procedure) . . . not to exceed amount of fine assessed;  
 18-67 (15) an additional fee:  
 18-68 (A) as an administrative fee for requesting a  
 18-69 driving safety course or a course under the motorcycle operator

19-1 training and safety program for certain traffic offenses to cover  
 19-2 the cost of administering the article (Art. 45.0511(f)(1), Code of  
 19-3 Criminal Procedure) . . . not to exceed \$10; or

19-4 (B) for requesting a driving safety course or a  
 19-5 course under the motorcycle operator training and safety program  
 19-6 before the final disposition of the case (Art. 45.0511(f)(2), Code  
 19-7 of Criminal Procedure) . . . not to exceed the maximum amount of  
 19-8 the fine for the offense committed by the defendant;

19-9 (16) a request fee for teen court program (Art.  
 19-10 45.052, Code of Criminal Procedure) . . . not to exceed \$10;

19-11 (17) a fee to cover costs of required duties of teen  
 19-12 court (Art. 45.052, Code of Criminal Procedure) . . . \$10;

19-13 (18) a mileage fee for officer performing certain  
 19-14 services (Art. 102.001, Code of Criminal Procedure) . . . \$0.15  
 19-15 per mile;

19-16 (19) certified mailing of notice of hearing date (Art.  
 19-17 102.006, Code of Criminal Procedure) . . . \$1, plus postage;

19-18 (20) certified mailing of certified copies of an order  
 19-19 of expunction (Art. 102.006, Code of Criminal Procedure) . . . \$2,  
 19-20 plus postage;

19-21 (21) sight orders:

19-22 (A) if the face amount of the check or sight order  
 19-23 does not exceed \$10 (Art. 102.007, Code of Criminal  
 19-24 Procedure) . . . not to exceed \$10;

19-25 (B) if the face amount of the check or sight order  
 19-26 is greater than \$10 but does not exceed \$100 (Art. 102.007, Code of  
 19-27 Criminal Procedure) . . . not to exceed \$15;

19-28 (C) if the face amount of the check or sight order  
 19-29 is greater than \$100 but does not exceed \$300 (Art. 102.007, Code of  
 19-30 Criminal Procedure) . . . not to exceed \$30;

19-31 (D) if the face amount of the check or sight order  
 19-32 is greater than \$300 but does not exceed \$500 (Art. 102.007, Code of  
 19-33 Criminal Procedure) . . . not to exceed \$50; and

19-34 (E) if the face amount of the check or sight order  
 19-35 is greater than \$500 (Art. 102.007, Code of Criminal  
 19-36 Procedure) . . . not to exceed \$75;

19-37 (22) a fee for pretrial intervention program (Art.  
 19-38 102.012, Code of Criminal Procedure) . . . not to exceed \$500;

19-39 (23) parking fee violations for child safety fund in  
 19-40 municipalities with populations:

19-41 (A) greater than 850,000 (Art. 102.014, Code of  
 19-42 Criminal Procedure) . . . not less than \$2 and not to exceed \$5;  
 19-43 and

19-44 (B) less than 850,000 (Art. 102.014, Code of  
 19-45 Criminal Procedure) . . . not to exceed \$5;

19-46 (24) an administrative fee for collection of fines,  
 19-47 fees, restitution, or other costs (Art. 102.072, Code of Criminal  
 19-48 Procedure) . . . not to exceed \$2 for each transaction;

19-49 (25) a court reporter fee when testimony is taken:

19-50 (A) in a criminal court in Dallas County (Sec.  
 19-51 25.0593, Government Code) . . . \$3;

19-52 (B) in a county criminal court of appeals in  
 19-53 Dallas County (Sec. 25.0594, Government Code) . . . \$3;

19-54 (C) in a county court at law in McLennan County  
 19-55 (Sec. 25.1572, Government Code) . . . \$3; and

19-56 (D) in a county criminal court in Tarrant County  
 19-57 (Sec. 25.2223, Government Code) . . . \$3;

19-58 (26) a speedy trial filing fee in El Paso County (Sec.  
 19-59 54.745, Government Code) . . . \$100;

19-60 (27) costs for use of magistrate in Brazos County  
 19-61 (Sec. 54.1116, Government Code) . . . not to exceed \$50;

19-62 (28) an administrative fee for participation in  
 19-63 certain community supervision programs (Sec. 76.015, Government  
 19-64 Code) . . . not less than \$25 and not more than \$40 per month;

19-65 (29) in family matters:

19-66 (A) issuing writ of withholding (Sec. 8.262,  
 19-67 Family Code) . . . \$15;

19-68 (B) filing copy of writ of withholding to  
 19-69 subsequent employer (Sec. 8.267, Family Code) . . . \$15;

20-1 (C) issuing and delivering modified writ of  
 20-2 withholding or notice of termination (Sec. 8.302, Family  
 20-3 Code) . . . \$15;  
 20-4 (D) issuing and delivering notice of termination  
 20-5 of withholding (Sec. 8.303, Family Code) . . . \$15;  
 20-6 (E) issuance of change of name certificate (Sec.  
 20-7 45.106, Family Code) . . . \$10;  
 20-8 (F) protective order fee (Sec. 81.003, Family  
 20-9 Code) . . . \$16;  
 20-10 (G) filing suit requesting adoption of child  
 20-11 (Sec. 108.006, Family Code) . . . \$15;  
 20-12 (H) filing fees for suits affecting parent-child  
 20-13 relationship (Sec. 110.002, Family Code):  
 20-14 (i) suit or motion for modification (Sec.  
 20-15 110.002, Family Code) . . . \$15;  
 20-16 (ii) motion for enforcement (Sec. 110.002,  
 20-17 Family Code) . . . \$15;  
 20-18 (iii) notice of application for judicial  
 20-19 writ of withholding (Sec. 110.002, Family Code) . . . \$15;  
 20-20 (iv) motion to transfer (Sec. 110.002,  
 20-21 Family Code) . . . \$15;  
 20-22 (v) petition for license suspension (Sec.  
 20-23 110.002, Family Code) . . . \$15;  
 20-24 (vi) motion to revoke a stay of license  
 20-25 suspension (Sec. 110.002, Family Code) . . . \$15; and  
 20-26 (vii) motion for contempt (Sec. 110.002,  
 20-27 Family Code) . . . \$15; and  
 20-28 (I) order or writ of income withholding to be  
 20-29 delivered to employer (Sec. 110.004, Family Code) . . . not to  
 20-30 exceed \$15;  
 20-31 (J) filing fee for transferred case (Sec.  
 20-32 110.005, Family Code) . . . \$45;  
 20-33 (K) filing a writ of withholding (Sec. 158.319,  
 20-34 Family Code) . . . \$15;  
 20-35 (L) filing a request for modified writ of  
 20-36 withholding or notice of termination (Sec. 158.403, Family  
 20-37 Code) . . . not to exceed \$15;  
 20-38 (M) filing an administrative writ to employer  
 20-39 (Sec. 158.503, Family Code) . . . not to exceed \$15; and  
 20-40 (N) genetic testing fees in relation to a child  
 20-41 born to a gestational mother (Sec. 160.762, Family Code) . . . as  
 20-42 assessed by the court;  
 20-43 (30) in juvenile court:  
 20-44 (A) fee schedule for deferred prosecution  
 20-45 services (Sec. 53.03, Family Code) . . . maximum fee of \$15 a  
 20-46 month;  
 20-47 (B) a teen court administration fee (Sec. 54.032,  
 20-48 Family Code) . . . not to exceed \$10;  
 20-49 (C) court costs for juvenile probation diversion  
 20-50 fund (Sec. 54.0411, Family Code) . . . \$20;  
 20-51 (D) a juvenile delinquency prevention fee (Sec.  
 20-52 54.0461, Family Code) . . . \$5; and  
 20-53 (E) a court fee for child's probationary period  
 20-54 (Sec. 54.061, Family Code) . . . not to exceed \$15 a month;  
 20-55 (31) a court reporter service fee if the courts have  
 20-56 official court reporters (Sec. 51.601, Government Code) . . . \$15;  
 20-57 (32) administrative fee on dismissal of charge of  
 20-58 driving with an expired motor vehicle registration (Sec. 502.407,  
 20-59 Transportation Code) . . . not to exceed \$10;  
 20-60 (33) administrative fee on dismissal of charge of  
 20-61 driving with an expired driver's license (Sec. 521.026,  
 20-62 Transportation Code) . . . not to exceed \$10;  
 20-63 (34) administrative fee on remediation of charge of  
 20-64 driving with an expired inspection certificate (Sec. 548.605,  
 20-65 Transportation Code) . . . not to exceed \$10;  
 20-66 (35) administrative fee for failure to appear for a  
 20-67 complaint or citation on certain offenses (Sec. 706.006,  
 20-68 Transportation Code) . . . \$30 for each violation;  
 20-69 (36) administrative fee for failure to pay or satisfy



21-1 certain judgments (Sec. 706.006, Transportation Code) . . . \$30;  
 21-2 (37) fee paid on filing a petition for an order of  
 21-3 nondisclosure of criminal history record information in certain  
 21-4 cases (Sec. 411.081, Government Code) . . . \$28; ~~and~~  
 21-5 (38) on a finding that an animal's owner has cruelly  
 21-6 treated the animal, court costs including:  
 21-7 (A) investigation (Sec. 821.023, Health and  
 21-8 Safety Code) . . . actual costs;  
 21-9 (B) expert witnesses (Sec. 821.023, Health and  
 21-10 Safety Code) . . . actual costs;  
 21-11 (C) housing and caring for the animal during its  
 21-12 impoundment (Sec. 821.023, Health and Safety Code) . . . actual  
 21-13 costs;  
 21-14 (D) conducting any public sale ordered by the  
 21-15 court (Sec. 821.023, Health and Safety Code) . . . actual costs;  
 21-16 and  
 21-17 (E) humanely destroying the animal if  
 21-18 destruction is ordered by the court (Sec. 821.023, Health and  
 21-19 Safety Code) . . . actual costs;  
 21-20 (39) the costs of a criminal magistrate if the court  
 21-21 determines that the nonprevailing party is able to defray the  
 21-22 costs:  
 21-23 (A) in Bexar County (Sec. 54.913, Government  
 21-24 Code) . . . magistrate's fees;  
 21-25 (B) in Dallas County (Sec. 54.313, Government  
 21-26 Code) . . . magistrate's fees;  
 21-27 (C) in Lubbock County (Sec. 54.883, Government  
 21-28 Code) . . . magistrate's fees;  
 21-29 (D) in Tarrant County (Sec. 54.663, Government  
 21-30 Code) . . . magistrate's fees;  
 21-31 (E) in Travis County (Sec. 54.983, Government  
 21-32 Code) . . . magistrate's fees; and  
 21-33 (F) in Williamson County (Sec. 54.958,  
 21-34 Government Code) . . . expense of the magistrate; and  
 21-35 (40) a collection fee, if authorized by the  
 21-36 commissioners court of a county or the governing body of a  
 21-37 municipality, for certain debts and accounts receivable, including  
 21-38 unpaid fines, fees, court costs, forfeited bonds, and restitution  
 21-39 ordered paid (Art. 103.0031, Code of Criminal Procedure) . . . 30  
 21-40 percent of an amount more than 60 days past due.  
 21-41 SECTION 10. Section 103.022, Government Code, is amended to  
 21-42 read as follows:  
 21-43 Sec. 103.022. MISCELLANEOUS FEES AND COSTS. The following  
 21-44 fees and costs shall be paid or collected as follows:  
 21-45 (1) fee for use of an interpreter in civil cases (Sec.  
 21-46 21.051, Civil Practice and Remedies Code) . . . \$3;  
 21-47 (2) fee for custodian of a record compelled by a court  
 21-48 to produce or certify the record (Sec. 22.004, Civil Practice and  
 21-49 Remedies Code) . . . \$1;  
 21-50 (3) cost for use of certified copy of the record of  
 21-51 names of all trustees appointed by any state organization of a  
 21-52 religious congregation in this state (Sec. 126.012, Civil Practice  
 21-53 and Remedies Code) . . . \$1.50;  
 21-54 (4) filing of a restitution lien (Art. 42.22, Code of  
 21-55 Criminal Procedure) . . . \$5;  
 21-56 (5) issuance and service of a warrant of arrest for  
 21-57 certain offenses if prescribed by the municipality (Art. 45.203,  
 21-58 Code of Criminal Procedure) . . . not to exceed \$25;  
 21-59 (6) filing a certified copy of a judicial finding of  
 21-60 fact and conclusion of law if charged by the secretary of state  
 21-61 (Sec. 51.905, Government Code) . . . \$15;  
 21-62 (7) costs of determining and sending information  
 21-63 concerning the identity of the court with continuing, exclusive  
 21-64 jurisdiction if charged by the bureau of vital statistics (Sec.  
 21-65 108.006, Family Code) . . . reasonable fee;  
 21-66 (8) initial operations fee paid to domestic relations  
 21-67 office on filing of a suit affecting the parent-child relationship,  
 21-68 if authorized by the administering entity (Sec. 203.005, Family  
 21-69 Code) . . . not to exceed \$15;

(9) initial child support service fee paid to domestic relations office in certain counties on filing of a suit affecting the parent-child relationship, if authorized by the administering entity (Sec. 203.005, Family Code) . . . not to exceed \$36;

(10) service fee for services of a domestic relations office, if authorized by the administering entity (Sec. 203.005, Family Code) . . . not to exceed \$3 per month;

(11) fee from a Title IV-D agency for each item of process to each individual on whom service is required, including service by certified or registered mail (Sec. 231.202, Family Code) . . . the amount that a sheriff or constable may charge for serving process under Section 118.131, Local Government Code;

(12) a copy of records of spousal or child support and fees administered in Dallas County if authorized by the local administrative judge (Sec. 152.0634, Human Resources Code) . . . not to exceed \$2 per page;

(13) collecting, disbursing, or monitoring spousal or child support payments in Dallas County (Sec. 152.0635, Human Resources Code) . . . not to exceed \$3 per month;

(14) fee for adoption, family, and home study investigations in an adoption in Dallas County (Sec. 152.0635, Human Resources Code) . . . not to exceed \$250;

(15) certain transactions with respect to a suit for spousal support or a suit affecting the parent-child relationship in Harris County, if authorized by the county commissioners court (Sec. 152.1074, Human Resources Code) . . . not to exceed \$2 per transaction;

(16) child support service fee in Smith ~~[Nueces]~~ County~~[7]~~ if ~~[authorized by the county commissioners]~~ court allows assessment by child support office (Sec. 152.2183 ~~[152.1844]~~, Human Resources Code) . . . not to exceed \$2.50 a ~~[\$5 per]~~ month;

(17) services by the offices of the sheriff and constables (Sec. 118.131, Local Government Code) . . . amount set by county commissioners court;

(18) cost paid by each surety posting the bail bond for an offense other than a misdemeanor punishable by fine only under Chapter 17, Code of Criminal Procedure, for the felony prosecutor supplement fund and the fair defense account (Sec. 41.258, Government Code) . . . \$15, provided the cost does not exceed \$30 for all bail bonds posted at that time for an individual and the cost is not required on the posting of a personal or cash bond;

(19) appraiser's fee as court costs for determining the fair value of ownership interests of owners who have perfected their rights (Sec. 10.365, Business Organizations Code) . . . a reasonable fee;

(19-a) an appraiser's fee as court costs for determining the fair value of the shares of the shareholders entitled to payment for their shares in a real estate investment trust (Sec. 25.20, Art. 6138A, Vernon's Texas Civil Statutes) . . . a reasonable fee;

(19-b) an appraiser's fee as court costs for determining the fair value of the shares of the shareholders entitled to payment for their shares by the existing, surviving, or new corporation (Art. 5.12, Texas Business Corporation Act) . . . a reasonable fee; [and]

(20) to participate in a court proceeding in this state, a nonresident attorney fee for civil legal services to the indigent (Sec. 82.0361, Government Code) . . . \$250 except as waived or reduced under supreme court rules for representing an indigent person;

(21) a witness's fee for one day to be paid by the party who subpoenas the witness (Sec. 22.001, Civil Practice and Remedies Code) . . . \$10;

(22) on a party's appeal of a final decision in a contested case, the cost of preparing the original or a certified copy of the record of the agency proceeding, if required by the agency's rule, as a court cost (Sec. 2001.177, Government Code) . . . as assessed by the court, all or part of the cost of preparation;

(23) the costs of arbitration in cases between a juvenile board and a school district that fail to agree on a memorandum of understanding related to the juvenile justice alternative education program (Sec. 37.011, Education Code) . . . each party its pro rata share of the costs;

(24) compensation to a referee in juvenile court in Wichita County taxed as costs if the judge determines the parties are able to pay the costs (Sec. 54.403, Government Code) . . . as determined by the judge;

(25) the expense of preserving the record as a court cost in Brazos County if imposed on a party by the referring court or magistrate (Sec. 54.1111, Government Code) . . . actual cost;

(26) a filing fee or recording fee for each page of a legal paper presented for filing or recording that fails to meet certain requirements regarding paper size, weight, substance, headings, legibility, the presence of typed or printed names under each signature, and number and size of riders or attachments (Sec. 191.007, Local Government Code) . . . twice the regular filing fee or recording fee provided by statute for that page, rider, or attachment;

(27) a processing fee as authorized by the commissioners court for the payment by credit card of a fee, court cost, or other charge processed by a county or precinct officer (Secs. 132.002 and 132.003, Local Government Code) . . . an amount reasonably related to the expense incurred by the county or precinct officer but not to exceed five percent of the amount of the fee, court cost, or other charge being paid;

(28) a processing fee as authorized by the governing body of the municipality for the payment by credit card of a fee, court cost, or other charge processed by a municipal official (Secs. 132.002 and 132.003, Local Government Code) . . . an amount reasonably related to the expense incurred by the municipal official but not to exceed five percent of the amount of the fee, court cost, or other charge being paid;

(29) a handling fee, if authorized by the commissioners court under Section 132.002, Local Government Code, for electronically processing the payment of a fee, fine, court cost, or other charge (Secs. 132.002 and 132.003, Local Government Code):

(A) charged at a flat rate that does not exceed \$5 for each payment transaction; or

(B) charged at a rate reasonably related to the expense incurred in processing a payment and that does not exceed five percent of the amount of the fee, court cost, or other charge being paid;

(30) a fee, if authorized by the commissioners court, collected by a county or precinct officer on behalf of the county from a person making payment by credit card of a fee, court cost, or other charge (Sec. 132.003, Local Government Code) . . . an amount equal to the amount of any transaction fee charged to the county by a vendor providing services in connection with payments made by credit card;

(31) a fee for sale of securities under an offering that has not been registered, if the transaction or securities are not exempt (Art. 581-35-2, Vernon's Texas Civil Statutes) . . . as set by the securities commissioner or court, but not to exceed six times the amount that would have been paid if the issuer had filed an application to register the securities and paid the fee prescribed based on the amount of sales made in this state within the prior three years, plus interest on that amount from the date of the first sale made in this state until the date the fee is paid; and

(32) a fee for mailing an order vacating or staying an order suspending a license to the appropriate licensing authority (Sec. 232.013, Family Code) . . . \$5 for each order mailed.

SECTION 11. Chapter 104, Government Code, is repealed.

SECTION 12. (a) Sections 1 through 10 of this Act amend provisions in Chapters 101, 102, and 103, Government Code, as amended by the Final Report Regarding Actions to Conform the Statutory Index of Court Fees and Costs to the Acts of the 78th

24-1 Legislature. The report was effective September 3, 2004, and was  
24-2 prepared and published in accordance with Chapter 104, Government  
24-3 Code, as it existed before the effective date of this Act. The  
24-4 report is available at the Texas Legislative Council's Internet  
24-5 website under the heading "Reports/Documents" at  
24-6 <http://www.tlc.state.tx.us/tlc.htm>. At that website the report is  
24-7 identified as the "Final Report" under "Court Fees Project."

24-8 (b) The legislature finds that the index of court fees and  
24-9 costs provided by Chapters 101, 102, and 103, Government Code, is  
24-10 complete with the passage of this Act and the publication of the  
24-11 report. The legislature also finds that additional reports under  
24-12 Chapter 104, Government Code, to update the index in the future are  
24-13 no longer necessary because the updating will occur under the Texas  
24-14 Legislative Council's permanent statutory revision program. The  
24-15 council is required, as part of that program, under Subdivision  
24-16 (4), Subsection (c), Section 323.007, Government Code, to formulate  
24-17 and implement a continuous revision program of all Texas statutes,  
24-18 which include the index of court fees and costs.

24-19 SECTION 13. If any provision of this Act conflicts with a  
24-20 statute enacted by the 79th Legislature, Regular Session, 2005, the  
24-21 statute controls.

24-22 SECTION 14. This Act takes effect September 1, 2005.

24-23 \* \* \* \* \*

FAVORABLE  
SENATE COMMITTEE REPORT ON

(SB) SCR SJR SR HB HCR HJR 291  
By West  
(Author/Senate Sponsor)  
3-29-05  
(date)

We, your Committee on JURISPRUDENCE, to which was referred the attached measure,  
have on 3-23-05, had the same under consideration and I am instructed to report it  
(date of hearing)  
back with the recommendation (s) that it:

(X) do pass and be printed

( ) do pass and be ordered not printed

(X) and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. (X) yes ( ) no

A revised fiscal note was requested. ( ) yes (X) no

An actuarial analysis was requested. ( ) yes (X) no

Considered by subcommittee. ( ) yes (X) no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Wentworth, Chair	X			
Senator Gallegos, Vice-Chair			X	
Senator Averitt	X			
Senator Duncan	X			
Senator Harris	X			
Senator Hinojosa			X	
Senator West	X			
TOTAL VOTES	5	0	2	0

COMMITTEE ACTION

S280 Considered in public hearing  
S270 Testimony taken

Stephanie Hoover  
COMMITTEE CLERK

Jff Wentworth  
CHAIR

Paper clip the original and one copy of this signed form to the original bill  
Retain one copy of this form for Committee files

WITNESS LIST

SB 291

SENATE COMMITTEE REPORT

Jurisprudence

March 23, 2005 - 1:30PM

ON: Alexander, Susan G. Attorney (Texas Legislative Council), Austin, TX  
Ayala, Kristi Legislative Counsel IV (Texas Legislative Council), Austin, TX  
Wood, Ted Special Counsel for Trial Courts (Office of Court Administration, State of Texas), Austin, TX

## **BILL ANALYSIS**

Senate Research Center  
79R2815 SGA-D

S.B. 291  
By: West, Royce  
Jurisprudence  
3/21/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Until the 78th Legislature, Regular Session, 2003, Texas court costs, fees, and penalties were scattered throughout Texas statutes, making it difficult to assess fees, especially when several costs were to be levied simultaneously. For ease of reference, S.B. 1180, 78th Legislature, Regular Session, added an index of these court costs, fees, and penalties to the Government Code.

As proposed, S.B. 291 updates the index to include fees that were overlooked in S.B. 1180. This bill provides for a complete and comprehensive list of the fees and costs currently in Texas statutes.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 101.061, Government Code, to include the following fees and costs that the clerk of a district court is required to collect:

(22-a)-(22-c) Certain child and spousal support service fees in certain counties, provided those fees are authorized by the appropriate entities; and attorney's fees of \$15 as an additional cost in Montague County on a finding of contempt of court for failure to pay child or spousal support if the contempt action is initiated by the probation department.

(36)-(38) A certain amount of court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate; monthly payments of a certain amount for remaining court fees and costs after the initial payment for that suit; and certain costs not otherwise charged to the inmate under Section 14.006 (Court Fees, Court Costs, Other Costs), Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous.

(39) Fees for performing certain services.

(40) Certain court costs which may include certain expert witness fees.

(41)-(42) A security deposit on filing, by certain persons, certain documents in relation to the estate, if required by the clerk; and a security deposit on filing by certain persons, certain documents in relation to a guardianship matter, if required by the clerk.

(43) A fee of \$5 for filing an additional petition for review of an appraisal review board order relating to certain regulated property running through or operating in more than one county after the first petition for review relating to the same property is filed for a tax year.

Makes nonsubstantive changes.

SECTION 2. Amends Section 101.081, Government Code, to include the following fees and costs that the clerk of a statutory county court is required to collect:

(23)-(25) A certain amount of court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate; monthly payments of a certain amount for remaining court fees and costs after the initial payment for that suit; and certain costs not otherwise charged to the inmate under Section 14.006 (Court Fees, Court Costs, Other Costs), Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous.

(26)-(27) The official court reporter's fee taxed as costs in civil actions in certain statutory county courts in certain counties; and a stenographer's fee of \$25 as costs in each civil, criminal, and probate case in which a record is made by the official court reporter in a statutory county court in Nolan County.

(28)-(29) Certain fees, in Brazoria County and in Nueces County with certain exceptions, in matters of concurrent jurisdiction with the district court.

(30)-(31) A security deposit on filing, by certain persons, certain documents in relation to the estate, if required by the clerk; and a security deposit on filing by certain persons, certain documents in relation to a guardianship matter, if required by the clerk.

(32)-(38) Reasonable compensation to certain persons appointed under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) and certain other fees and costs for a hearing or proceeding under the Texas Mental Health Code; expenses of transporting certain patients from the county of treatment to a hearing in the county in which the proceedings originated; court-approved expenses for expert witness testimony for an indigent patient if authorized by the court as reimbursement to the attorney ad litem; a fee for a judge's services for holding a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50; additional reasonable and necessary expenses, as certified, to reimburse the judge for holding a hearing in a hospital or location other than the county courthouse; and a fee for the services of a prosecuting attorney, including costs incurred for preparation of documents related to a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50.

(39) A fee not otherwise listed in this section that is required to be collected under Section 25.0008 (regarding fees for statutory county courts), Government Code, except in certain counties, as prescribed by the law relating to county judges' fees.

Makes nonsubstantive changes.

SECTION 3. Amends Section 101.101, Government Code, to include the following fees and costs that the clerk of a statutory probate court is required to collect:

(14) The actual cost of preserving the record as a court cost, if imposed on a party by the referring court or associate judge.

(15)-(16) A security deposit on filing, by certain persons, certain documents in relation to the estate, if required by the clerk; and a security deposit on filing by certain persons, certain documents in relation to a guardianship matter, if required by the clerk.

(17)-(23) Reasonable compensation to certain persons appointed under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) and certain other fees and costs for a hearing or proceeding under the Texas Mental Health Code; expenses of transporting certain patients from the county of treatment to a hearing in the county in which the proceedings originated; court-approved expenses for expert witness testimony for an indigent patient if authorized by the court as reimbursement to the attorney ad litem; a fee for a judge's services for holding a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50; additional



reasonable and necessary expenses, as certified, to reimburse the judge for holding a hearing in a hospital or location other than the county courthouse; and a fee for the services of a prosecuting attorney, including costs incurred for preparation of documents related to a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50.

(24) A fee not otherwise listed in this section that is required to be collected under Section 25.0029 (regarding fees for statutory probate courts), Government Code, as prescribed by the law relating to county judges' fees.

Makes nonsubstantive changes.

SECTION 4. Amends Section 101.121, Government Code, to include the following fees and costs that the clerk of a county court is required to collect:

(22)-(24) A certain amount of court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate; monthly payments of a certain amount for remaining court fees and costs after the initial payment for that suit; and certain costs not otherwise charged to the inmate under Section 14.006 (Court Fees, Court Costs, Other Costs), Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous.

(25)-(26) A security deposit on filing, by certain persons, certain documents in relation to the estate, if required by the clerk; and a security deposit on filing by certain persons, certain documents in relation to a guardianship matter, if required by the clerk.

(27)-(33) Reasonable compensation to certain persons appointed under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) and certain other fees and costs for a hearing or proceeding under the Texas Mental Health Code; expenses of transporting certain patients from the county of treatment to a hearing in the county in which the proceedings originated; court-approved expenses for expert witness testimony for an indigent patient if authorized by the court as reimbursement to the attorney ad litem; a fee for a judge's services for holding a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50; additional reasonable and necessary expenses, as certified, to reimburse the judge for holding a hearing in a hospital or location other than the county courthouse; and a fee for the services of a prosecuting attorney, including costs incurred for preparation of documents related to a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50.

Makes nonsubstantive changes.

SECTION 5. Amends Section 101.141, Government Code, as follows:

Sec. 101.141. JUSTICE COURT AND SMALL CLAIMS COURT FEES AND COSTS.

(a) Includes the following fees and costs that the clerk of a justice court is required to collect:

(5)-(7) A certain amount of court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate; monthly payments of a certain amount for remaining court fees and costs after the initial payment for that suit; and certain costs not otherwise charged to the inmate under Section 14.006 (Court Fees, Court Costs, Other Costs), Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous.

(8) The cost, not to exceed \$100, of a special program that a court may order a child to attend after a finding that the child committed an offense, if ordered by the court.

Makes nonsubstantive changes.

(b) Includes the following fees and costs that the justice of the peace is required to collect:

(3)-(5) A certain amount of court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate; monthly payments of a certain amount for remaining court fees and costs after the initial payment for that suit; and certain costs not otherwise charged to the inmate under Section 14.006 (Court Fees, Court Costs, Other Costs), Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous.

Makes nonsubstantive changes.

SECTION 6. Amends Section 101.161, Government Code, to require, rather than authorize, the clerk of a municipal court to collect a \$10 fee for a hearing on probable cause for removal of a vehicle and placement in a storage facility if assessed by the court. Requires the clerk to collect the cost, not to exceed \$100, of a special program that a court may order a child to attend after a finding that the child committed an offense, if ordered by the court. Makes nonsubstantive changes.

SECTION 7. Amends Section 101.181, Government Code, to require the clerk of a municipal court of record to collect the cost, not to exceed \$100, of a special program that a court may order a child to attend after a finding that the child committed an offense, if ordered by the court. Makes nonsubstantive changes.

SECTION 8. Amends Section 102.021, Government Code, to require a person convicted of an offense to pay part or all of the court costs on conviction in a criminal action, if directed by the justice of the peace or municipal court judge hearing the case. Makes nonsubstantive changes.

SECTION 9. Amends Section 103.021, Government Code, to require an accused or a defendant, or a party to a civil suit, as applicable, if ordered by the court or otherwise required, to pay the costs of a criminal magistrate if the court determines that the nonprevailing party is able to defray the costs, in certain amounts in certain counties. Requires the person to pay a collection fee, if authorized by the commissioners court of a county or the governing body of a municipality, for certain debts and accounts receivable and sets forth the amount. Makes nonsubstantive changes.

SECTION 10. Amends Section 103.022, Government Code, to include the following fees and costs in those required to be paid or collected:

(16) A child support service fee in Smith County, not to exceed \$2.50 a month, if court allows assessment by the child support office. Deletes the requirement to collect a child support service fee in Nueces County, not to exceed \$5 per month, if authorized by the county commissioners court.

(19-a)-(19-b) A reasonable appraiser's fee as court costs for determining fair value of the shares of the shareholders entitled to payment for their shares in a real estate investment trust, and a reasonable appraiser's fee for determining the fair value of the shares of the shareholders entitled to payment for their shares by the existing, surviving, or new corporation.

(21) A \$10 witness's fee for one day to be paid by the party who subpoenas the witness.

(22) The cost of preparing the original or a certified copy of the record of the agency proceeding, if required by the agency's rule, on a party's appeal of a final decision in a contested case.

(23) The pro rata costs to each party of arbitration in cases between a juvenile board and a school district that fail to agree on a memorandum of understanding related to the juvenile justice alternative education program.

(24) Compensation to a referee in juvenile court in Wichita County taxed as costs if the judge determines the parties are able to pay the costs.

(25) The actual cost of preserving the record as a court cost in Brazos county if imposed on a party by the referring court or magistrate.

(26) A filing fee or recording fee of twice the regular fee for each page of a legal paper presented for filing or recording that fails to meet certain requirements.

(27)-(30) A certain processing fee, as authorized by the commissioners court, for the payment by a credit card of a fee or other cost processed by a county or precinct officer; a certain processing fee, as authorized by the governing body of the municipality, for the payment by a credit card of a fee or other cost processed by a municipal official; a certain handling fee, if authorized by the commissioners court under Section 132.002 (Payment of Fees or Costs by Credit Card or Electronic Means), Local Government Code, for electronically processing the payment of a fee or other cost; and a fee, if authorized by the commissioners court, collected by a county or precinct officer on behalf of the county from a person making a payment by credit card of a fee or other cost.

(31) A fee, as set by the securities commissioner or court, within certain limits, for sale of securities under an offering that has not been registered, if the transaction or securities are not exempt.

(32) A \$5 fee for mailing an order vacating or staying an order suspending license to the appropriate licensing authority.

Makes nonsubstantive changes.

SECTION 11. Repealer: Chapter 104 (Editorial Powers), Government Code.

SECTION 12. (a) Provides that Sections 1-10 of this Act amend provisions in Chapters 101, 102, and 103, Government Code, as amended by the Final Report Regarding Actions to Conform the Statutory Index of Court Fees and Costs to the Acts of the 78th Legislature. Provides that the report was effective September 3, 2004, and was prepared and published in accordance with Chapter 104 (Editorial Powers), Government Code, as it existed before the effective date of this Act. Provides where the report can be located on the internet.

(b) Sets forth the findings of the legislature that the index of the court fees and costs provided by Chapters 101, 102, and 103, Government Code, is complete with the passage of this Act and the publication of the report. Provides that the legislature also finds that additional reports under Chapter 104, Government Code, to update the index are no longer necessary because the updating will occur under the Texas Legislative Council's permanent statutory revision program. Requires the council, as part of the program, under Section 323.007(c)(4)(requiring the council to implement a continuous statutory revision program), Government Code, to formulate and implement a continuous revision program of all Texas statutes, which include the index of court fees and costs.

SECTION 13. Provides that if any provision of this Act conflicts with a statute enacted by the 79th Legislature, Regular Session, 2005, the statute controls.

SECTION 14. Effective date: September 1, 2005.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**March 21, 2005**

**TO:** Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE:** SB291 by West, Royce (Relating to the index of court fees and costs.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would update the statutory index of court fees and costs to include those currently located in other existing statutes but that previously had not been listed in the comprehensive index. The bill would also repeal the requirement that the Texas Legislative Council review all statutes and prepare a report to update the index of court fees and costs because the report has been published, and enactment of the bill would reflect the findings shown in that report. In addition, maintaining the completeness of the list would exist as a permanent statutory requirement of the Texas Legislative Council. The bill would take effect September 1, 2005, and in any conflict with other statutes, the index of fees would prevail.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 103 Legislative Council, 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 665 Juvenile Probation Commission, 696 Department of Criminal Justice

**LBB Staff:** JOB, DLBa, LG

## REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN  
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that SB 291, by West,  
(Bill No.) (Author/Sponsor)

was heard by the Committee on Jurisprudence on 3-23-05,  
2005,

and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

Stephanie Hoover  
(Clerk of the reporting committee)

**IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.**

Engrossed April 14, 2005  
Mardi Alexander  
Engrossing Clerk

I certify this to be a true and correct  
copy of the indicated document as  
referred or transmitted to committee.

Chief Clerk of the House

By: West  
(Alonzo, Hartnett)

S.B. No. 291

A BILL TO BE ENTITLED

AN ACT

relating to the index of court fees and costs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 101.061, Government Code, is amended to  
read as follows:

Sec. 101.061. DISTRICT COURT FEES AND COSTS. The clerk of a  
district court shall collect fees and costs as follows:

(1) filing fee in action with respect to a fraudulent  
court record or fraudulent lien or claim filed against property  
(Sec. 12.005, Civil Practice and Remedies Code) . . . \$15;

(2) fee for service of notice of action with respect to  
a fraudulent court record or fraudulent lien or claim filed against  
property (Sec. 12.005, Civil Practice and Remedies Code) . . . not  
to exceed \$20, if notice delivered in person, or the cost of  
postage, if service is by registered or certified mail;

(3) court cost in certain civil cases to establish and  
maintain an alternative dispute resolution system, if authorized by  
the county commissioners court (Sec. 152.004, Civil Practice and  
Remedies Code) . . . not to exceed \$10;

(4) appellate judicial system filing fees for:

(A) First or Fourteenth Court of Appeals District  
(Sec. 22.2021, Government Code) . . . not more than \$5;

(B) Second Court of Appeals District (Sec.  
22.2031, Government Code) . . . not more than \$5;

(C) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;

(D) Fifth Court of Appeals District (Sec. 22.2061, Government Code) . . . not more than \$5; and

(E) Thirteenth Court of Appeals District (Sec. 22.2141, Government Code) . . . not more than \$5;

(5) additional filing fees:

(A) for each suit filed for insurance contingency fund, if authorized by the county commissioners court (Sec. 51.302, Government Code) . . . not to exceed \$5;

(B) for each civil suit filed, for court-related purposes for the support of the judiciary and for civil legal services to an indigent:

(i) for family law cases and proceedings as defined by Section 25.0002, Government Code (Sec. 133.151, Local Government Code) . . . \$45; or

(ii) for any case other than a case described by Subparagraph (i) (Sec. 133.151, Local Government Code) . . . \$50;

(C) to fund the improvement of Dallas County civil court facilities, if authorized by the county commissioners court (Sec. 51.705, Government Code) . . . not more than \$15; and

(D) on the filing of any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader, or third-party action requiring a filing fee, to fund civil legal services for the indigent:

1 (i) for family law cases and proceedings as  
2 defined by Section 25.0002, Government Code (Sec. 133.152, Local  
3 Government Code) . . . \$5; or

4 (ii) for any case other than a case  
5 described by Subparagraph (i) (Sec. 133.152, Local Government  
6 Code) . . . \$10;

7 (6) for filing a suit, including an appeal from an  
8 inferior court:

9 (A) for a suit with 10 or fewer plaintiffs (Sec.  
10 51.317, Government Code) . . . \$50;

11 (B) for a suit with at least 11 but not more than  
12 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

13 (C) for a suit with at least 26 but not more than  
14 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

15 (D) for a suit with at least 101 but not more than  
16 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

17 (E) for a suit with at least 501 but not more than  
18 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

19 (F) for a suit with more than 1,000 plaintiffs  
20 (Sec. 51.317, Government Code) . . . \$200;

21 (7) for filing a cross-action, counterclaim,  
22 intervention, contempt action, motion for new trial, or third-party  
23 petition (Sec. 51.317, Government Code) . . . \$15;

24 (8) for issuing a citation or other writ or process not  
25 otherwise provided for, including one copy, when requested at the  
26 time a suit or action is filed (Sec. 51.317, Government  
27 Code) . . . \$8;



(9) for records management and preservation (Sec. 51.317, Government Code) . . . \$10;

(10) for issuing a subpoena, including one copy (Sec. 51.318, Government Code) . . . \$8;

(11) for issuing a citation, commission for deposition, writ of execution, order of sale, writ of execution and order of sale, writ of injunction, writ of garnishment, writ of attachment, or writ of sequestration not provided for in Section 51.317, or any other writ or process not otherwise provided for, including one copy if required by law (Sec. 51.318, Government Code) . . . \$8;

(12) for searching files or records to locate a cause when the docket number is not provided (Sec. 51.318, Government Code) . . . \$5;

(13) for searching files or records to ascertain the existence of an instrument or record in the district clerk's office (Sec. 51.318, Government Code) . . . \$5;

(14) for abstracting a judgment (Sec. 51.318, Government Code) . . . \$8;

(15) for approving a bond (Sec. 51.318, Government Code) . . . \$4;

(16) for a certified copy of a record, judgment, order, pleading, or paper on file or of record in the district clerk's office, including certificate and seal, for each page or part of a page (Sec. 51.318, Government Code) . . . \$1;

(17) for a noncertified copy, for each page or part of a page (Sec. 51.318, Government Code) . . . not to exceed \$1;

(18) jury fee (Sec. 51.604, Government Code) . . . \$30;

(19) for filing a report of divorce or annulment (Sec. 194.002, Health and Safety Code) . . . \$1;

(20) for filing a suit in Comal County (Sec. 152.0522, Human Resources Code) . . . \$4;

(21) additional filing fee for family protection on filing a suit for dissolution of a marriage under Chapter 6, Family Code, if authorized by the county commissioners court (Sec. 51.961, Government Code) . . . not to exceed \$15;

(22) fee on filing a suit for dissolution of a marriage for services of child support department in Harris County, if authorized by the county commissioners court (Sec. 152.1074, Human Resources Code) . . . not to exceed \$12;

(22-a) a child support service fee in Nueces County if ordered by the commissioners court and assessed by the court (Sec. 152.1844, Human Resources Code) . . . not to exceed \$5 a month payable annually in advance;

(22-b) a service fee to be paid by a person ordered by a district court to pay child or spousal support:

(A) in Collin County if authorized by the juvenile board (Sec. 152.0492, Human Resources Code) . . . not to exceed \$2.50 added to first support payment each month;

(B) in Johnson County if authorized by the juvenile board (Sec. 152.1322, Human Resources Code) . . . \$1.00 added to first support payment each month; and

(C) in Montague County (Sec. 152.1752, Human

1 Resources Code) . . . \$1 if fee is ordered to be paid monthly, 50  
2 cents if fee is ordered to be paid semimonthly or weekly;

3 (22-c) attorney's fees as an additional cost in  
4 Montague County on a finding of contempt of court for failure to pay  
5 child or spousal support if the contempt action is initiated by the  
6 probation department (Sec. 152.1752, Human Resources  
7 Code) . . . \$15;

8 (23) fee on filing a suit requesting an adoption in  
9 Montague County (Sec. 152.1752, Human Resources Code) . . . \$25;

10 (24) court cost on citation for contempt of court for  
11 failure to comply with child support order in Nueces County, if  
12 authorized by the commissioners court (Sec. 152.1844, Human  
13 Resources Code) . . . not to exceed \$10;

14 (25) fee on filing a suit for divorce in Orange County  
15 (Sec. 152.1873, Human Resources Code) . . . not less than \$5;

16 (26) court costs on citation for contempt of court in  
17 Orange County for failure to comply with a child support order or  
18 order providing for possession of or access to a child (Sec.  
19 152.1873, Human Resources Code) . . . amount determined by  
20 district clerk;

21 (27) fee on filing a suit requesting an adoption in  
22 Orange County (Sec. 152.1874, Human Resources Code) . . . not less  
23 than \$25;

24 (28) fee on filing a suit requesting an adoption in  
25 Wichita County (Sec. 152.2496, Human Resources Code) . . . \$100;

26 (29) additional filing fee to fund the courthouse  
27 security fund, if authorized by the county commissioners court

S.B. No. 291

- 1 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;
- 2 (30) additional filing fee for filing documents not
- 3 subject to certain filing fees to fund the courthouse security
- 4 fund, if authorized by the county commissioners court (Sec.
- 5 291.008, Local Government Code) . . . \$1;
- 6 (31) additional filing fee to fund the courthouse
- 7 security fund in Webb County, if authorized by the county
- 8 commissioners court (Sec. 291.009, Local Government
- 9 Code) . . . not to exceed \$20;
- 10 (32) court cost in civil cases other than suits for
- 11 delinquent taxes to fund the county law library fund, if authorized
- 12 by the county commissioners court (Sec. 323.023, Local Government
- 13 Code) . . . not to exceed \$35;
- 14 (33) when administering a case for the Rockwall County
- 15 Court at Law (Sec. 25.2012, Government Code) . . . civil fees and
- 16 court costs as if the case had been filed in district court;
- 17 (34) at a hearing held by an associate judge in Dallas
- 18 County, a court cost to preserve the record, in the absence of a
- 19 court reporter, by other means (Sec. 54.509, Government
- 20 Code) . . . as assessed by the referring court or associate judge;
- 21 [~~and~~]
- 22 (35) at a hearing held by an associate judge in Duval
- 23 County, a court cost to preserve the record (Sec. 54.1151,
- 24 Government Code, as added by Chapter 1150, Acts of the 78th
- 25 Legislature, Regular Session, 2003) . . . as imposed by the
- 26 referring court or associate judge;
- 27 (36) court fees and costs, if ordered by the court, for

1 a suit filed by an inmate in which an affidavit or unsworn  
2 declaration of inability to pay costs is filed by the inmate (Sec.  
3 14.006, Civil Practice and Remedies Code) . . . the lesser of:

4 (A) 20 percent of the preceding six months'  
5 deposits to the inmate's trust account administered by the Texas  
6 Department of Criminal Justice under Section 501.014, Government  
7 Code; or

8 (B) the total amount of court fees and costs;

9 (37) monthly payment for remaining court fees and  
10 costs after the initial payment for a suit in which an affidavit or  
11 unsworn declaration of inability to pay costs is filed by the inmate  
12 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser  
13 of:

14 (A) 10 percent of that month's deposit to the  
15 inmate's trust account administered by the Texas Department of  
16 Criminal Justice under Section 501.014, Government Code; or

17 (B) the total amount of court fees and costs that  
18 remain unpaid;

19 (38) the following costs not otherwise charged to the  
20 inmate under Section 14.006, Civil Practice and Remedies Code, if  
21 the inmate has previously filed an action dismissed as malicious or  
22 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

23 (A) expenses of service of process;

24 (B) postage; and

25 (C) transportation, housing, or medical care  
26 incurred in connection with the appearance of the inmate in the  
27 court for any proceeding;

(39) fee for performing a service:

(A) related to the matter of the estate of a deceased person (Sec. 51.319, Government Code) . . . the same fee allowed the county clerk for those services;

(B) related to the matter of a minor (Sec. 51.319, Government Code) . . . the same fee allowed the county clerk for the service;

(C) of serving process by certified or registered mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or constable is authorized to charge for the service under Section 118.131, Local Government Code; and

(D) prescribed or authorized by law but for which no fee is set (Sec. 51.319, Government Code) . . . a reasonable fee;

(40) court costs, which may include expert witness fees in Travis County in an action in which the plaintiff prevails against an insurer for economic damages sustained by the plaintiff as a result of unfair discrimination (Sec. 544.054, Insurance Code) . . . court costs and reasonable and necessary expert witness fees;

(41) security deposit on filing, by any person other than the personal representative of an estate, an application, complaint, or opposition in relation to the estate, if required by the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the proceeding;

(42) security deposit on filing, by any person other than the guardian, attorney ad litem, or guardian ad litem, an

1 application, complaint, or opposition in relation to a guardianship  
2 matter, if required by the clerk (Sec. 622, Texas Probate  
3 Code) . . . probable cost of the guardianship proceeding; and  
4 (43) fee for filing an additional petition for review  
5 of an appraisal review board order relating to certain regulated  
6 property running through or operating in more than one county after  
7 the first petition for review relating to the same property is filed  
8 for a tax year (Sec. 42.221, Tax Code) . . . \$5.

9 SECTION 2. Section 101.081, Government Code, is amended to  
10 read as follows:

11 Sec. 101.081. STATUTORY COUNTY COURT FEES AND COSTS. The  
12 clerk of a statutory county court shall collect fees and costs as  
13 follows:

14 (1) court cost in certain civil cases to establish and  
15 maintain an alternative dispute resolution system, if authorized by  
16 the county commissioners court (Sec. 152.004, Civil Practice and  
17 Remedies Code) . . . not to exceed \$10;

18 (2) appellate judicial system filing fees:

19 (A) First or Fourteenth Court of Appeals District  
20 (Sec. 22.2021, Government Code) . . . not more than \$5;

21 (B) Second Court of Appeals District (Sec.  
22 22.2031, Government Code) . . . not more than \$5;

23 (C) Fourth Court of Appeals District (Sec.  
24 22.2051, Government Code) . . . not more than \$5;

25 (D) Fifth Court of Appeals District (Sec.  
26 22.2061, Government Code) . . . not more than \$5; and

27 (E) Thirteenth Court of Appeals District (Sec.

1 22.2141, Government Code) . . . not more than \$5;

2 (3) an official court reporter fee, County Court at  
3 Law No. 2 of Bexar County (Sec. 25.0172, Government Code) . . . \$3;

4 (4) a court reporter fee when testimony is taken in a  
5 county court at law in McLennan County (Sec. 25.1572, Government  
6 Code) . . . \$3;

7 (5) a stenographer fee, if a record or part of a record  
8 is made:

9 (A) in a county court at law in Hidalgo County  
10 (Sec. 25.1102, Government Code) . . . \$20; and

11 (B) in a county court at law in Nolan County (Sec.  
12 25.1792, Government Code) . . . \$25;

13 (6) jury fee (Sec. 51.604, Government  
14 Code) . . . \$22;

15 (7) an additional filing fee:

16 (A) for each civil case filed to be used for  
17 court-related purposes for the support of the judiciary, if  
18 authorized by the county commissioners court (Sec. 51.702,  
19 Government Code) . . . \$40;

20 (B) to fund the improvement of Dallas County  
21 civil court facilities, if authorized by the county commissioners  
22 court (Sec. 51.705, Government Code) . . . not more than \$15; and

23 (C) for filing any civil action or proceeding  
24 requiring a filing fee, including an appeal, and on the filing of  
25 any counterclaim, cross-action, intervention, interpleader, or  
26 third-party action requiring a filing fee, to fund civil legal  
27 services for the indigent (Sec. 133.153, Local Government



Code) . . . \$5;

(8) for filing an application for registration of death (Sec. 193.007, Health and Safety Code) . . . \$1;

(9) fee for judge's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;

(10) fee for prosecutor's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;

(11) for filing a suit in Comal County (Sec. 152.0522, Human Resources Code) . . . \$4;

(12) additional filing fee to fund contingency fund for liability insurance, if authorized by the county commissioners court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

(13) civil court actions (Sec. 118.052, Local Government Code):

(A) filing of original action (Secs. 118.052 and 118.053, Local Government Code):

(i) garnishment after judgment (Sec. 118.052, Local Government Code) . . . \$15; and

(ii) all others (Sec. 118.052, Local Government Code) . . . \$40;

(B) filing of action other than original (Secs. 118.052 and 118.054, Local Government Code) . . . \$30; and

(C) services rendered after judgment in original action (Secs. 118.052 and 118.0545, Local Government Code):

(i) abstract of judgment (Sec. 118.052,

Local Government Code) . . . \$5; and

(ii) execution, order of sale, writ, or other process (Sec. 118.052, Local Government Code) . . . \$5;

(14) probate court actions (Sec. 118.052, Local Government Code):

(A) probate original action (Secs. 118.052 and 118.055, Local Government Code):

(i) probate of a will with independent executor, administration with will attached, administration of an estate, guardianship or receivership of an estate, or muniment of title (Sec. 118.052, Local Government Code) . . . \$40;

(ii) community survivors (Sec. 118.052, Local Government Code) . . . \$40;

(iii) small estates (Sec. 118.052, Local Government Code) . . . \$40;

(iv) declarations of heirship (Sec. 118.052, Local Government Code) . . . \$40;

(v) mental health or chemical dependency services (Sec. 118.052, Local Government Code) . . . \$40; and

(vi) additional, special fee (Secs. 118.052 and 118.064, Local Government Code) . . . \$5;

(B) services in pending probate action (Secs. 118.052 and 118.056, Local Government Code):

(i) filing an inventory and appraisement after the 120th day after the date of the initial filing of the action (Sec. 118.052, Local Government Code) . . . \$25;

(ii) approving and recording bond (Sec.

1 118.052, Local Government Code) . . . \$3;  
2 (iii) administering oath (Sec. 118.052,  
3 Local Government Code) . . . \$2;  
4 (iv) filing annual or final account of  
5 estate (Sec. 118.052, Local Government Code) . . . \$25;  
6 (v) filing application for sale of real or  
7 personal property (Sec. 118.052, Local Government Code) . . . \$25;  
8 and  
9 (vi) filing annual or final report of  
10 guardian of a person (Sec. 118.052, Local Government  
11 Code) . . . \$10;  
12 (C) adverse probate action (Secs. 118.052 and  
13 118.057, Local Government Code) . . . \$40; and  
14 (D) claim against estate (Secs. 118.052 and  
15 118.058, Local Government Code) . . . \$2;  
16 (15) other fees (Sec. 118.052, Local Government Code):  
17 (A) issuing document (Secs. 118.052 and 118.059,  
18 Local Government Code):  
19 (i) original document and one copy (Sec.  
20 118.052, Local Government Code) . . . \$4; and  
21 (ii) each additional set of an original and  
22 one copy (Sec. 118.052, Local Government Code) . . . \$4;  
23 (B) certified papers (Secs. 118.052 and 118.060,  
24 Local Government Code):  
25 (i) for the clerk's certificate (Sec.  
26 118.052, Local Government Code) . . . \$5; and  
27 (ii) a fee per page or part of a page (Sec.

118.052, Local Government Code) . . . \$1;

(C) noncertified papers, for each page or part of a page (Secs. 118.052 and 118.0605, Local Government Code) . . . \$1;

(D) letters testamentary, letter of guardianship, letter of administration, or abstract of judgment (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

(E) safekeeping of wills (Secs. 118.052 and 118.062, Local Government Code) . . . \$5;

(F) mail service of process (Secs. 118.052 and 118.063, Local Government Code) . . . same as sheriff; and

(G) records management and preservation fee (Secs. 118.052, 118.0546, and 118.0645, Local Government Code) . . . \$5;

(16) additional filing fee to fund the courthouse security fund, if authorized by the county commissioners court (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

(17) additional filing fee for filing documents not subject to certain filing fees to fund the courthouse security fund, if authorized by the county commissioners court (Sec. 291.008, Local Government Code) . . . \$1;

(18) additional filing fee to fund the courthouse security fund in Webb County, if authorized by the county commissioners court (Sec. 291.009, Local Government Code) . . . not to exceed \$20;

(19) court cost in civil cases other than suits for delinquent taxes to fund the county law library fund, if authorized

by the county commissioners court (Sec. 323.023, Local Government Code) . . . not to exceed \$35;

(20) fee for deposit of a will with the county clerk during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

(21) court cost for each special commissioner in an eminent domain proceeding (Sec. 21.047, Property Code) . . . as taxed by the court, \$10 or more; ~~and~~

(22) fee for county attorney in a suit regarding a railroad company's failure to keep roadbed and right-of-way in proper condition (Art. 6327, Vernon's Texas Civil Statutes) . . . \$10;

(23) court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 20 percent of the preceding six months' deposits to the inmate's trust account administered by the Texas Department of Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs;

(24) monthly payment for remaining court fees and costs after the initial payment for a suit in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 10 percent of that month's deposit to the inmate's trust account administered by the Texas Department of

1 Criminal Justice under Section 501.014, Government Code; or

2 (B) the total amount of court fees and costs that  
3 remain unpaid;

4 (25) the following costs not otherwise charged to the  
5 inmate under Section 14.006, Civil Practice and Remedies Code, if  
6 the inmate has previously filed an action dismissed as malicious or  
7 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

8 (A) expenses of service of process;

9 (B) postage; and

10 (C) transportation, housing, or medical care  
11 incurred in connection with the appearance of the inmate in the  
12 court for any proceeding;

13 (26) the official court reporter's fee taxed as costs  
14 in civil actions in a statutory county court:

15 (A) in Bexar County Courts at Law:

16 (i) Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12  
17 (Sec. 25.0172, Government Code) . . . taxed in the same manner as  
18 the fee is taxed in district court; and

19 (ii) No. 2 (Sec. 25.0172, Government  
20 Code) . . . \$3;

21 (B) in Galveston County (Sec. 25.0862,  
22 Government Code) . . . taxed in the same manner as the fee is taxed  
23 in civil cases in the district courts; and

24 (C) in Parker County (Sec. 25.1862, Government  
25 Code) . . . taxed in the same manner as the fee is taxed in civil  
26 cases in the district courts;

27 (27) a stenographer's fee as costs in each civil,

criminal, and probate case in which a record is made by the official court reporter in a statutory county court in Nolan County (Sec. 25.1792, Government Code) . . . \$25;

(28) in Brazoria County, in matters of concurrent jurisdiction with the district court, fees (Sec. 25.0222, Government Code) . . . as prescribed by law for district judges according to the nature of the matter;

(29) in Nueces County, in matters of concurrent jurisdiction with the district court, with certain exceptions, fees (Sec. 25.1802, Government Code) . . . equal to those in district court cases;

(30) security deposit on filing, by any person other than the personal representative of an estate, an application, complaint, or opposition in relation to the estate, if required by the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the proceeding;

(31) security deposit on filing, by any person other than the guardian, attorney ad litem, or guardian ad litem, an application, complaint, or opposition in relation to a guardianship matter, if required by the clerk (Sec. 622, Texas Probate Code) . . . probable cost of the guardianship proceeding;

(32) for a hearing or proceeding under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as costs (Secs. 571.017 and 571.018, Health and Safety Code) . . . reasonable compensation to the following persons appointed under the Texas Mental Health Code:

(A) attorneys;

1                   (B) physicians;

2                   (C) language interpreters;

3                   (D) sign interpreters; and

4                   (E) masters;

5                   (33) for a hearing or proceeding under the Texas  
6 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
7 costs (Sec. 571.018, Health and Safety Code):

8                   (A) attorney's fees;

9                   (B) physician examination fees;

10                   (C) expense of transportation to a mental health  
11 facility or to a federal agency not to exceed \$50 if transporting  
12 within the same county and not to exceed the reasonable cost of  
13 transportation if transporting between counties;

14                   (D) costs and salary supplements authorized  
15 under Section 574.031, Health and Safety Code; and

16                   (E) prosecutors' fees authorized under Section  
17 574.031, Health and Safety Code;

18                   (34) expenses of transporting certain patients from  
19 the county of treatment to a hearing in the county in which the  
20 proceedings originated (Sec. 574.008, Health and Safety  
21 Code) . . . actual expenses unless certain arrangements are made  
22 to hold the hearing in the county in which the patient is receiving  
23 services;

24                   (35) expenses for expert witness testimony for an  
25 indigent patient (Sec. 574.010, Health and Safety Code) . . . if  
26 authorized by the court as reimbursement to the attorney ad litem,  
27 court-approved expenses;



S.B. No. 291

(36) fee for judge's services for holding a hearing on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . as assessed by the judge, not to exceed \$50;

(37) expenses to reimburse judge for holding a hearing in a hospital or location other than the county courthouse (Sec. 574.031, Health and Safety Code) . . . reasonable and necessary expenses as certified;

(38) fee for services of a prosecuting attorney, including costs incurred for preparation of documents related to a hearing on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . as assessed by the judge, not to exceed \$50; and

(39) a fee not otherwise listed in this section that is required to be collected under Section 25.0008, Government Code (Sec. 25.0008, Government Code), in a county other than Brazos, Cameron, Ellis, Guadalupe, Harris, Henderson, Liberty, Moore, Nolan, Panola, Parker, Starr, Victoria, and Williamson . . . as prescribed by law relating to county judges' fees.

SECTION 3. Section 101.101, Government Code, is amended to read as follows:

Sec. 101.101. STATUTORY PROBATE COURT FEES AND COSTS. The clerk of a statutory probate court shall collect fees and costs as follows:

(1) court cost in certain civil cases to establish and maintain an alternative dispute resolution system, if authorized by the county commissioners court (Sec. 152.004, Civil Practice and

S.B. No. 291

Remedies Code) . . . not to exceed \$10;

(2) appellate judicial system filing fees:

(A) First or Fourteenth Court of Appeals District  
(Sec. 22.2021, Government Code) . . . not more than \$5;

(B) Second Court of Appeals District (Sec.  
22.2031, Government Code) . . . not more than \$5;

(C) Fourth Court of Appeals District (Sec.  
22.2051, Government Code) . . . not more than \$5;

(D) Fifth Court of Appeals District (Sec.  
22.2061, Government Code) . . . not more than \$5; and

(E) Thirteenth Court of Appeals District (Sec.  
22.2141, Government Code) . . . not more than \$5;

(3) additional filing fees as follows:

(A) for certain cases to be used for  
court-related purposes for support of the judiciary, if authorized  
by the county commissioners court (Sec. 51.704, Government  
Code) . . . \$40;

(B) to fund the improvement of Dallas County  
civil court facilities, if authorized by the county commissioners  
court (Sec. 51.705, Government Code) . . . not more than \$15; and

(C) for filing any civil action or proceeding  
requiring a filing fee, including an appeal, and on the filing of  
any counterclaim, cross-action, intervention, interpleader, or  
third-party action requiring a filing fee to fund civil legal  
services for the indigent (Sec. 133.153, Local Government  
Code) . . . \$5;

(4) for filing an application for registration of

1 death (Sec. 193.007, Health and Safety Code) . . . \$1;

2 (5) fee for judge's services on an application for  
3 court-ordered mental health services (Sec. 574.031, Health and  
4 Safety Code) . . . not to exceed \$50;

5 (6) fee for prosecutor's services on an application  
6 for court-ordered mental health services (Sec. 574.031, Health and  
7 Safety Code) . . . not to exceed \$50;

8 (7) additional filing fee to fund contingency fund for  
9 liability insurance, if authorized by the county commissioners  
10 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

11 (8) probate court actions (Sec. 118.052, Local  
12 Government Code):

13 (A) probate original action (Secs. 118.052 and  
14 118.055, Local Government Code):

15 (i) probate of a will with independent  
16 executor, administration with will attached, administration of an  
17 estate, guardianship or receivership of an estate, or muniment of  
18 title (Sec. 118.052, Local Government Code) . . . \$40;

19 (ii) community survivors (Sec. 118.052,  
20 Local Government Code) . . . \$40;

21 (iii) small estates (Sec. 118.052, Local  
22 Government Code) . . . \$40;

23 (iv) declarations of heirship (Sec.  
24 118.052, Local Government Code) . . . \$40;

25 (v) mental health or chemical dependency  
26 services (Sec. 118.052, Local Government Code) . . . \$40; and

27 (vi) additional, special fee (Secs. 118.052

and 118.064, Local Government Code) . . . \$5;

(B) services in pending probate action (Secs. 118.052 and 118.056, Local Government Code):

(i) filing an inventory and appraisement after the 120th day after the date of the initial filing of the action (Sec. 118.052, Local Government Code) . . . \$25;

(ii) approving and recording bond (Sec. 118.052, Local Government Code) . . . \$3;

(iii) administering oath (Sec. 118.052, Local Government Code) . . . \$2;

(iv) filing annual or final account of estate (Sec. 118.052, Local Government Code) . . . \$25;

(v) filing application for sale of real or personal property (Sec. 118.052, Local Government Code) . . . \$25;

and

(vi) filing annual or final report of guardian of a person (Sec. 118.052, Local Government Code) . . . \$10;

(C) adverse probate action (Secs. 118.052 and 118.057, Local Government Code) . . . \$40; and

(D) claim against estate (Secs. 118.052 and 118.058, Local Government Code) . . . \$2;

(9) other fees (Sec. 118.052, Local Government Code):

(A) issuing document (Secs. 118.052 and 118.059, Local Government Code):

(i) original document and one copy (Sec. 118.052, Local Government Code) . . . \$4; and

(ii) each additional set of an original and one copy (Sec. 118.052, Local Government Code) . . . \$4;

(B) certified papers (Secs. 118.052 and 118.060, Local Government Code):

(i) for the clerk's certificate (Sec. 118.052, Local Government Code) . . . \$5; and

(ii) a fee per page or part of a page (Sec. 118.052, Local Government Code) . . . \$1;

(C) noncertified papers, for each page or part of a page (Secs. 118.052 and 118.0605, Local Government Code) . . . \$1;

(D) letters testamentary, letter of guardianship, letter of administration, or abstract of judgment (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

(E) safekeeping of wills (Secs. 118.052 and 118.062, Local Government Code) . . . \$5;

(F) mail service of process (Secs. 118.052 and 118.063, Local Government Code) . . . same as sheriff; and

(G) records management and preservation fee (Secs. 118.052 and 118.0645, Local Government Code) . . . \$5;

(10) fee for deposit of a will with the county clerk during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

(11) court costs for each special commissioner in an eminent domain proceeding (Sec. 21.047, Property Code) . . . as taxed by the court, \$10 or more;

(12) jury fee for civil case (Sec. 51.604, Government Code) . . . \$22; ~~and~~

1           (13) court cost in civil cases other than suits for  
2 delinquent taxes to fund the county law library fund, if authorized  
3 by the county commissioners court (Sec. 323.023, Local Government  
4 Code) . . . not to exceed \$35;

5           (14) the expense of preserving the record as a court  
6 cost, if imposed on a party by the referring court or associate  
7 judge (Sec. 54.612, Government Code) . . . actual cost;

8           (15) security deposit on filing, by any person other  
9 than the personal representative of an estate, an application,  
10 complaint, or opposition in relation to the estate, if required by  
11 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the  
12 proceeding;

13           (16) security deposit on filing, by any person other  
14 than the guardian, attorney ad litem, or guardian ad litem, an  
15 application, complaint, or opposition in relation to a guardianship  
16 matter, if required by the clerk (Sec. 622, Texas Probate  
17 Code) . . . probable cost of the guardianship proceeding;

18           (17) for a hearing or proceeding under the Texas  
19 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
20 costs (Secs. 571.017 and 571.018, Health and Safety  
21 Code) . . . reasonable compensation to the following persons  
22 appointed under the Texas Mental Health Code:

- 23                   (A) attorneys;
- 24                   (B) physicians;
- 25                   (C) language interpreters;
- 26                   (D) sign interpreters; and
- 27                   (E) masters;

1           (18) for a hearing or proceeding under the Texas  
2 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
3 costs (Sec. 571.018, Health and Safety Code):

4                   (A) attorney's fees;

5                   (B) physician examination fees;

6                   (C) expense of transportation to a mental health  
7 facility or to a federal agency not to exceed \$50 if transporting  
8 within the same county and not to exceed the reasonable cost of  
9 transportation if transporting between counties;

10                   (D) costs and salary supplements authorized  
11 under Section 574.031, Health and Safety Code; and

12                   (E) prosecutors' fees authorized under Section  
13 574.031, Health and Safety Code;

14           (19) expenses of transporting certain patients from  
15 the county of treatment to a hearing in the county in which the  
16 proceedings originated (Sec. 574.008, Health and Safety  
17 Code) . . . actual expenses unless certain arrangements are made  
18 to hold the hearing in the county in which the patient is receiving  
19 services;

20           (20) expenses for expert witness testimony for an  
21 indigent patient (Sec. 574.010, Health and Safety Code) . . . if  
22 authorized by the court as reimbursement to the attorney ad litem,  
23 court-approved expenses;

24           (21) fee for judge's services for holding a hearing on  
25 an application for court-ordered mental health services (Sec.  
26 574.031, Health and Safety Code) . . . as assessed by the judge,  
27 not to exceed \$50;

S.B. No. 291

1           (22) expenses to reimburse judge for holding a hearing  
2 in a hospital or location other than the county courthouse (Sec.  
3 574.031, Health and Safety Code) . . . reasonable and necessary  
4 expenses as certified;

5           (23) fee for services of a prosecuting attorney,  
6 including costs incurred for preparation of documents related to a  
7 hearing on an application for court-ordered mental health services  
8 (Sec. 574.031, Health and Safety Code) . . . as assessed by the  
9 judge, not to exceed \$50; and

10           (24) a fee not otherwise listed in this section that is  
11 required to be collected under Section 25.0029, Government Code  
12 (Sec. 25.0029, Government Code) . . . as prescribed by law  
13 relating to county judges' fees.

14           SECTION 4. Section 101.121, Government Code, is amended to  
15 read as follows:

16           Sec. 101.121. COUNTY COURT FEES AND COSTS. The clerk of a  
17 county court shall collect:

18           (1) fee for hearing on application for a license to  
19 manufacture, distribute, store, or sell beer (Sec. 61.31, Alcoholic  
20 Beverage Code) . . . \$5;

21           (2) court cost in certain civil cases to establish and  
22 maintain an alternative dispute resolution system, if authorized by  
23 the county commissioners court (Sec. 152.004, Civil Practice and  
24 Remedies Code) . . . not to exceed \$10;

25           (3) appellate judicial system filing fees:

26                   (A) First or Fourteenth Court of Appeals District  
27 (Sec. 22.2021, Government Code) . . . not more than \$5;



(B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . not more than \$5;

(C) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;

(D) Fifth Court of Appeals District (Sec. 22.2061, Government Code) . . . not more than \$5; and

(E) Thirteenth Court of Appeals District (Sec. 22.2141, Government Code) . . . not more than \$5;

(4) a jury fee (Sec. 51.604, Government Code) . . . \$22;

(5) a filing fee in each civil case filed to be used for court-related purposes for the support of the judiciary (Sec. 51.703, Government Code) . . . \$40;

(6) for filing an application for registration of death (Sec. 193.007, Health and Safety Code) . . . \$1;

(7) fee for judge's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;

(8) fee for prosecutor's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;

(9) additional filing fee to fund contingency fund for liability insurance, if authorized by the county commissioners court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

(10) civil court actions (Sec. 118.052, Local Government Code):

(A) filing of original action (Secs. 118.052 and

118.053, Local Government Code):

(i) garnishment after judgment (Sec. 118.052, Local Government Code) . . . \$15; and

(ii) all others (Sec. 118.052, Local Government Code) . . . \$40;

(B) filing of action other than original (Secs. 118.052 and 118.054, Local Government Code) . . . \$30; and

(C) services rendered after judgment in original action (Secs. 118.052 and 118.0545, Local Government Code):

(i) abstract of judgment (Sec. 118.052, Local Government Code) . . . \$5; and

(ii) execution, order of sale, writ, or other process (Sec. 118.052, Local Government Code) . . . \$5;

(11) probate court actions (Sec. 118.052, Local Government Code):

(A) probate original action (Secs. 118.052 and 118.055, Local Government Code):

(i) probate of a will with independent executor, administration with will attached, administration of an estate, guardianship or receivership of an estate, or muniment of title (Sec. 118.052, Local Government Code) . . . \$40;

(ii) community survivors (Sec. 118.052, Local Government Code) . . . \$40;

(iii) small estates (Sec. 118.052, Local Government Code) . . . \$40;

(iv) declarations of heirship (Sec. 118.052, Local Government Code) . . . \$40;

(v) mental health or chemical dependency services (Sec. 118.052, Local Government Code) . . . \$40; and

(vi) additional, special fee (Secs. 118.052 and 118.064, Local Government Code) . . . \$5;

(B) services in pending probate action (Secs. 118.052 and 118.056, Local Government Code):

(i) filing an inventory and appraisement after the 120th day after the date of the initial filing of the action (Sec. 118.052, Local Government Code) . . . \$25;

(ii) approving and recording bond (Sec. 118.052, Local Government Code) . . . \$3;

(iii) administering oath (Sec. 118.052, Local Government Code) . . . \$2;

(iv) filing annual or final account of estate (Sec. 118.052, Local Government Code) . . . \$25;

(v) filing application for sale of real or personal property (Sec. 118.052, Local Government Code) . . . \$25; and

(vi) filing annual or final report of guardian of a person (Sec. 118.052, Local Government Code) . . . \$10;

(C) adverse probate action (Secs. 118.052 and 118.057, Local Government Code) . . . \$40; and

(D) claim against estate (Secs. 118.052 and 118.058, Local Government Code) . . . \$2;

(12) other fees (Sec. 118.052, Local Government Code):

(A) issuing document (Secs. 118.052 and 118.059,

Local Government Code):

(i) original document and one copy (Sec. 118.052, Local Government Code) . . . \$4; and

(ii) each additional set of an original and one copy (Sec. 118.052, Local Government Code) . . . \$4;

(B) certified papers (Secs. 118.052 and 118.060, Local Government Code):

(i) for the clerk's certificate (Sec. 118.052, Local Government Code) . . . \$5; and

(ii) a fee per page or part of a page (Sec. 118.052, Local Government Code) . . . \$1;

(C) noncertified papers, for each page or part of a page (Secs. 118.052 and 118.0605, Local Government Code) . . . \$1;

(D) letters testamentary, letter of guardianship, letter of administration, or abstract of judgment (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

(E) safekeeping of wills (Secs. 118.052 and 118.062, Local Government Code) . . . \$5;

(F) mail service of process (Secs. 118.052 and 118.063, Local Government Code) . . . same as sheriff; and

(G) records management and preservation fee (Secs. 118.052, 118.0546, and 118.0645, Local Government Code) . . . \$5;

(13) deposit on filing petition requesting permission to create a municipal civic center authority (Sec. 281.013, Local Government Code) . . . \$200;

1           (14) additional filing fee to fund the courthouse  
2 security fund, if authorized by the county commissioners court  
3 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

4           (15) additional filing fee for filing documents not  
5 subject to certain filing fees to fund the courthouse security  
6 fund, if authorized by the county commissioners court (Sec.  
7 291.008, Local Government Code) . . . \$1;

8           (16) additional filing fee to fund the courthouse  
9 security fund in Webb County, if authorized by the county  
10 commissioners court (Sec. 291.009, Local Government  
11 Code) . . . not to exceed \$20;

12           (17) court cost in civil cases other than suits for  
13 delinquent taxes to fund the county law library fund, if authorized  
14 by the county commissioners court (Sec. 323.023, Local Government  
15 Code) . . . not to exceed \$35;

16           (18) fee for deposit of a will with the county clerk  
17 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

18           (19) fee for county attorney in a suit regarding a  
19 railroad company's failure to keep roadbed and right-of-way in  
20 proper condition (Art. 6327, Vernon's Texas Civil  
21 Statutes) . . . \$10;

22           (20) appeal bond from a petitioner or taxpayer in a  
23 water control and preservation district (Art. 7818, Vernon's Texas  
24 Civil Statutes) . . . \$100; ~~and~~

25           (21) additional filing fee for filing any civil action  
26 or proceeding requiring a filing fee, including an appeal, and on  
27 the filing of any counterclaim, cross-action, intervention,

interpleader, or third-party action requiring a filing fee, to fund civil legal services for the indigent (Sec. 133.153, Local Government Code) . . . \$5;

(22) court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 20 percent of the preceding six months' deposits to the inmate's trust account administered by the Texas Department of Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs;

(23) monthly payment for remaining court fees and costs after the initial payment for a suit in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 10 percent of that month's deposit to the inmate's trust account administered by the Texas Department of Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs that remain unpaid;

(24) the following costs not otherwise charged to the inmate under Section 14.006, Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous (Sec. 14.007, Civil Practice and Remedies Code):

(A) expenses of service of process;

(B) postage; and

(C) transportation, housing, or medical care incurred in connection with the appearance of the inmate in the court for any proceeding;

(25) security deposit on filing, by any person other than the personal representative of an estate, an application, complaint, or opposition in relation to the estate, if required by the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the proceeding;

(26) security deposit on filing, by any person other than the guardian, attorney ad litem, or guardian ad litem, an application, complaint, or opposition in relation to a guardianship matter, if required by the clerk (Sec. 622, Texas Probate Code) . . . probable cost of the guardianship proceeding;

(27) for a hearing or proceeding under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as costs (Secs. 571.017 and 571.018, Health and Safety Code) . . . reasonable compensation to the following persons appointed under the Texas Mental Health Code:

(A) attorneys;

(B) physicians;

(C) language interpreters;

(D) sign interpreters; and

(E) masters;

(28) for a hearing or proceeding under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as costs (Sec. 571.018, Health and Safety Code):

1                   (A) attorney's fees;

2                   (B) physician examination fees;

3                   (C) expense of transportation to a mental health  
4 facility or to a federal agency not to exceed \$50 if transporting  
5 within the same county and not to exceed the reasonable cost of  
6 transportation if transporting between counties;

7                   (D) costs and salary supplements authorized  
8 under Section 574.031, Health and Safety Code; and

9                   (E) prosecutors' fees authorized under Section  
10 574.031, Health and Safety Code;

11                   (29) expenses of transporting certain patients from  
12 the county of treatment to a hearing in the county in which the  
13 proceedings originated (Sec. 574.008, Health and Safety  
14 Code) . . . actual expenses unless certain arrangements are made  
15 to hold the hearing in the county in which the patient is receiving  
16 services;

17                   (30) expenses for expert witness testimony for an  
18 indigent patient (Sec. 574.010, Health and Safety Code) . . . if  
19 authorized by the court as reimbursement to the attorney ad litem,  
20 court-approved expenses;

21                   (31) fee for judge's services for holding a hearing on  
22 an application for court-ordered mental health services (Sec.  
23 574.031, Health and Safety Code) . . . as assessed by the judge,  
24 not to exceed \$50;

25                   (32) expenses to reimburse judge for holding a hearing  
26 in a hospital or location other than the county courthouse (Sec.  
27 574.031, Health and Safety Code) . . . reasonable and necessary



expenses as certified; and

(33) fee for services of a prosecuting attorney, including costs incurred for preparation of documents related to a hearing on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . as assessed by the judge, not to exceed \$50.

SECTION 5. Section 101.141, Government Code, is amended to read as follows:

Sec. 101.141. JUSTICE COURT AND SMALL CLAIMS COURT FEES AND COSTS. (a) A clerk of a justice court shall collect fees and costs as follows:

(1) additional court cost in certain civil cases to establish and maintain an alternative dispute resolution system, if authorized by the commissioners court of a county with a population of at least 2.5 million (Sec. 152.005, Civil Practice and Remedies Code) . . . not to exceed \$3;

(2) additional filing fees:

(A) to fund Dallas County civil court facilities (Sec. 51.705, Government Code) . . . not more than \$15; and

(B) for filing any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader, or third-party action requiring a filing fee, to fund civil legal services for the indigent (Sec. 133.153, Local Government Code) . . . \$2;

(3) for filing a suit in Comal County (Sec. 152.0522, Human Resources Code) . . . \$1.50; ~~and~~

1           (4) fee for hearing on probable cause for removal of a  
2 vehicle and placement in a storage facility if assessed by the court  
3 (Sec. 685.008, Transportation Code) . . . \$10;

4           (5) court fees and costs, if ordered by the court, for  
5 a suit filed by an inmate in which an affidavit or unsworn  
6 declaration of inability to pay costs is filed by the inmate (Sec.  
7 14.006, Civil Practice and Remedies Code) . . . the lesser of:

8                 (A) 20 percent of the preceding six months'  
9 deposits to the inmate's trust account administered by the Texas  
10 Department of Criminal Justice under Section 501.014, Government  
11 Code; or

12                 (B) the total amount of court fees and costs;

13           (6) monthly payment for remaining court fees and costs  
14 after the initial payment for a suit in which an affidavit or  
15 unsworn declaration of inability to pay costs is filed by the inmate  
16 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser  
17 of:

18                 (A) 10 percent of that month's deposit to the  
19 inmate's trust account administered by the Texas Department of  
20 Criminal Justice under Section 501.014, Government Code; or

21                 (B) the total amount of court fees and costs that  
22 remain unpaid;

23           (7) the following costs not otherwise charged to the  
24 inmate under Section 14.006, Civil Practice and Remedies Code, if  
25 the inmate has previously filed an action dismissed as malicious or  
26 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

27                 (A) expenses of service of process;

(B) postage; and

(C) transportation, housing, or medical care incurred in connection with the appearance of the inmate in the court for any proceeding; and

(8) the cost of a special program that a court may order a child to attend after a finding that the child committed an offense, if ordered by the court (Art. 45.057, Code of Criminal Procedure) . . . costs of the program not to exceed \$100.

(b) A justice of the peace shall collect the following fees:

(1) services rendered before judgment (Secs. 118.121 and 118.122, Local Government Code):

(A) justice court (Sec. 118.121, Local Government Code) . . . \$15; and

(B) small claims court (Sec. 118.121, Local Government Code) . . . \$10; ~~and~~

(2) services rendered after judgment (Secs. 118.121 and 118.123, Local Government Code):

(A) transcript (Sec. 118.121, Local Government Code) . . . \$10;

(B) abstract of judgment (Sec. 118.121, Local Government Code) . . . \$5;

(C) execution, order of sale, writ of restitution, or other writ or process (Sec. 118.121, Local Government Code) . . . \$5 per page;

(D) certified copy of court papers (Secs. 118.121 and 118.1235, Local Government Code) . . . \$2 for first page; \$0.25 for each additional page; and

(E) issuing other document (no return required)  
(Sec. 118.121, Local Government Code) . . . \$1 for first page;  
\$0.25 for each additional page;

(3) court fees and costs, if ordered by the court, for  
a suit filed by an inmate in which an affidavit or unsworn  
declaration of inability to pay costs is filed by the inmate (Sec.  
14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 20 percent of the preceding six months'  
deposits to the inmate's trust account administered by the Texas  
Department of Criminal Justice under Section 501.014, Government  
Code; or

(B) the total amount of court fees and costs;

(4) monthly payment for remaining court fees and costs  
after the initial payment for a suit in which an affidavit or  
unsworn declaration of inability to pay costs is filed by the inmate  
(Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser  
of:

(A) 10 percent of that month's deposit to the  
inmate's trust account administered by the Texas Department of  
Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs that  
remain unpaid; and

(5) the following costs not otherwise charged to the  
inmate under Section 14.006, Civil Practice and Remedies Code, if  
the inmate has previously filed an action dismissed as malicious or  
frivolous (Sec. 14.007, Civil Practice and Remedies Code):

(A) expenses of service of process;

1                    (B) postage; and  
2                    (C) transportation, housing, or medical care  
3 incurred in connection with the appearance of the inmate in the  
4 court for any proceeding.

5            SECTION 6. Section 101.161, Government Code, is amended to  
6 read as follows:

7            Sec. 101.161. MUNICIPAL COURT FEES AND COSTS. The clerk of  
8 a municipal court shall collect:

9            (1) ~~may collect~~ a fee for a hearing on probable cause  
10 for removal of a vehicle and placement in a storage facility if  
11 assessed by the court (Sec. 685.008, Transportation  
12 Code) . . . \$10; and

13            (2) the cost of a special program that a court may  
14 order a child to attend after finding that the child committed an  
15 offense, if ordered by the court (Art. 45.057, Code of Criminal  
16 Procedure) . . . costs of the program not to exceed \$100.

17            SECTION 7. Section 101.181, Government Code, is amended to  
18 read as follows:

19            Sec. 101.181. MUNICIPAL COURTS OF RECORD FEES AND COSTS.  
20 The clerk of a municipal court of record shall collect the following  
21 fees and costs:

22            (1) from an appellant, a transcript preparation fee  
23 (Sec. 30.00014, Government Code) . . . \$25;

24            (2) from an appellant in the City of El Paso, an  
25 appellate court docket fee (Sec. 30.00147, Government  
26 Code) . . . \$25; ~~and~~

27            (3) fee for hearing on probable cause for removal of a

vehicle and placement in a storage facility if assessed by the court  
(Sec. 685.008, Transportation Code) . . . \$10;

and

(4) the cost of a special program that a court may  
order a child to attend after finding that the child committed an  
offense, if ordered by the court (Art. 45.057, Code of Criminal  
Procedure) . . . costs of the program, not to exceed \$100.

SECTION 8. Section 102.021, Government Code, is amended to  
read as follows:

Sec. 102.021. COURT COSTS ON CONVICTION. A person  
convicted of an offense shall pay, in addition to all other costs:

(1) court costs on conviction of a felony (Sec.  
133.102, Local Government Code) . . . \$133;

(2) court costs on conviction of a Class A or Class B  
misdemeanor (Sec. 133.102, Local Government Code) . . . \$83;

(3) court costs on conviction of a nonjailable  
misdemeanor offense, including a criminal violation of a municipal  
ordinance, other than a conviction of an offense relating to a  
pedestrian or the parking of a motor vehicle (Sec. 133.102, Local  
Government Code) . . . \$40;

(4) court costs on certain convictions in statutory  
county courts (Sec. 51.702, Government Code) . . . \$15;

(5) court costs on certain convictions in certain  
county courts (Sec. 51.703, Government Code) . . . \$15;

(6) a time payment fee if convicted of a felony or  
misdemeanor for paying any part of a fine, court costs, or  
restitution on or after the 31st day after the date on which a

judgment is entered assessing the fine, court costs, or restitution  
(Sec. 133.103, Local Government Code) . . . \$25;

(7) a fee for services of prosecutor (Art. 102.008,  
Code of Criminal Procedure) . . . \$25;

(8) fees for services of peace officer:

(A) issuing a written notice to appear in court  
for certain violations (Art. 102.011, Code of Criminal  
Procedure) . . . \$5;

(B) executing or processing an issued arrest  
warrant or capias (Art. 102.011, Code of Criminal  
Procedure) . . . \$50;

(C) summoning a witness (Art. 102.011, Code of  
Criminal Procedure) . . . \$5;

(D) serving a writ not otherwise listed (Art.  
102.011, Code of Criminal Procedure) . . . \$35;

(E) taking and approving a bond and, if  
necessary, returning the bond to courthouse (Art. 102.011, Code of  
Criminal Procedure) . . . \$10;

(F) commitment or release (Art. 102.011, Code of  
Criminal Procedure) . . . \$5;

(G) summoning a jury (Art. 102.011, Code of  
Criminal Procedure) . . . \$5;

(H) attendance of a prisoner in habeas corpus  
case if prisoner has been remanded to custody or held to bail (Art.  
102.011, Code of Criminal Procedure) . . . \$8 each day;

(I) mileage for certain services performed (Art.  
102.011, Code of Criminal Procedure) . . . \$0.29 per mile; and

(J) services of a sheriff or constable who serves process and attends examining trial in certain cases (Art. 102.011, Code of Criminal Procedure) . . . not to exceed \$5;

(9) services of a peace officer in conveying a witness outside the county (Art. 102.011, Code of Criminal Procedure) . . . \$10 per day or part of a day, plus actual necessary travel expenses;

(10) overtime of peace officer for time spent testifying in the trial or traveling to or from testifying in the trial (Art. 102.011, Code of Criminal Procedure) . . . actual cost;

(11) court costs on an offense relating to rules of the road, when offense occurs within a school crossing zone (Art. 102.014, Code of Criminal Procedure) . . . \$25;

(12) court costs on an offense of passing a school bus (Art. 102.014, Code of Criminal Procedure) . . . \$25;

(13) court costs on an offense of truancy or contributing to truancy (Art. 102.014, Code of Criminal Procedure) . . . \$20;

(14) cost for visual recording of intoxication arrest before conviction (Art. 102.018, Code of Criminal Procedure) . . . \$15;

(15) cost of certain evaluations (Art. 102.018, Code of Criminal Procedure) . . . actual cost;

(16) additional costs attendant to certain intoxication convictions under Chapter 49, Penal Code, for emergency medical services, trauma facilities, and trauma care



systems (Art. 102.0185, Code of Criminal Procedure) . . . \$100;

(17) cost for DNA testing for certain felonies (Art. 102.020, Code of Criminal Procedure) . . . \$250;

(18) court cost on an offense of public lewdness or indecent exposure (Art. 102.020, Code of Criminal Procedure) . . . \$50;

(19) court cost on conviction of a misdemeanor under Subtitle C, Title 7, Transportation Code (Sec. 542.403, Transportation Code) . . . \$3;

(20) cost for impoundment of vehicle (Sec. 601.263, Transportation Code) . . . \$15 per day; ~~and~~

(21) a civil and criminal enforcement cost on conviction of an offense of, or related to, the nonpayment of a toll in certain counties (Sec. 284.2031, Transportation Code) . . . \$1; and

(22) if directed by the justice of the peace or municipal court judge hearing the case, court costs on conviction in a criminal action (Art. 45.041, Code of Criminal Procedure) . . . part or all of the costs as directed by the judge.

SECTION 9. Section 103.021, Government Code, is amended to read as follows:

Sec. 103.021. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL CASES. An accused or defendant, or a party to a civil suit, as applicable, shall pay the following fees and costs if ordered by the court or otherwise required:

(1) a personal bond fee (Art. 17.42, Code of Criminal Procedure) . . . the greater of \$20 or three percent of the amount

1 of the bail fixed for the accused;

2 (2) cost of electronic monitoring as a condition of  
3 release on personal bond (Art. 17.43, Code of Criminal  
4 Procedure) . . . actual cost;

5 (3) a fee for verification of and monitoring of motor  
6 vehicle ignition interlock (Art. 17.441, Code of Criminal  
7 Procedure) . . . not to exceed \$10;

8 (4) repayment of reward paid by a crime stoppers  
9 organization on conviction of a felony (Art. 37.073, Code of  
10 Criminal Procedure) . . . amount ordered;

11 (5) reimbursement to general revenue fund for payments  
12 made to victim of an offense as condition of community supervision  
13 (Art. 42.12, Code of Criminal Procedure) . . . not to exceed \$50  
14 for a misdemeanor offense or \$100 for a felony offense;

15 (6) payment to a crime stoppers organization as  
16 condition of community supervision (Art. 42.12, Code of Criminal  
17 Procedure) . . . not to exceed \$50;

18 (7) children's advocacy center fee (Art. 42.12, Code  
19 of Criminal Procedure) . . . not to exceed \$50;

20 (8) family violence shelter center fee (Art. 42.12,  
21 Code of Criminal Procedure) . . . not to exceed \$100;

22 (9) community supervision fee (Art. 42.12, Code of  
23 Criminal Procedure) . . . not less than \$25 or more than \$60 per  
24 month;

25 (10) additional community supervision fee for certain  
26 offenses (Art. 42.12, Code of Criminal Procedure) . . . \$5 per  
27 month;

(11) for certain financially able sex offenders as a condition of community supervision, the costs of treatment, specialized supervision, or rehabilitation (Art. 42.12, Code of Criminal Procedure) . . . all or part of the reasonable and necessary costs of the treatment, supervision, or rehabilitation as determined by the judge;

(12) fee for failure to appear for trial in a justice or municipal court if a jury trial is not waived (Art. 45.026, Code of Criminal Procedure) . . . costs incurred for impaneling the jury;

(13) costs of certain testing, assessments, or programs during a deferral period (Art. 45.051, Code of Criminal Procedure) . . . amount ordered;

(14) special expense on dismissal of certain misdemeanor complaints (Art. 45.051, Code of Criminal Procedure) . . . not to exceed amount of fine assessed;

(15) an additional fee:

(A) as an administrative fee for requesting a driving safety course or a course under the motorcycle operator training and safety program for certain traffic offenses to cover the cost of administering the article (Art. 45.0511(f)(1), Code of Criminal Procedure) . . . not to exceed \$10; or

(B) for requesting a driving safety course or a course under the motorcycle operator training and safety program before the final disposition of the case (Art. 45.0511(f)(2), Code of Criminal Procedure) . . . not to exceed the maximum amount of the fine for the offense committed by the defendant;

1           (16) a request fee for teen court program (Art.  
2 45.052, Code of Criminal Procedure) . . . not to exceed \$10;

3           (17) a fee to cover costs of required duties of teen  
4 court (Art. 45.052, Code of Criminal Procedure) . . . \$10;

5           (18) a mileage fee for officer performing certain  
6 services (Art. 102.001, Code of Criminal Procedure) . . . \$0.15  
7 per mile;

8           (19) certified mailing of notice of hearing date (Art.  
9 102.006, Code of Criminal Procedure) . . . \$1, plus postage;

10          (20) certified mailing of certified copies of an order  
11 of expunction (Art. 102.006, Code of Criminal Procedure) . . . \$2,  
12 plus postage;

13          (21) sight orders:

14               (A) if the face amount of the check or sight order  
15 does not exceed \$10 (Art. 102.007, Code of Criminal  
16 Procedure) . . . not to exceed \$10;

17               (B) if the face amount of the check or sight order  
18 is greater than \$10 but does not exceed \$100 (Art. 102.007, Code of  
19 Criminal Procedure) . . . not to exceed \$15;

20               (C) if the face amount of the check or sight order  
21 is greater than \$100 but does not exceed \$300 (Art. 102.007, Code of  
22 Criminal Procedure) . . . not to exceed \$30;

23               (D) if the face amount of the check or sight order  
24 is greater than \$300 but does not exceed \$500 (Art. 102.007, Code of  
25 Criminal Procedure) . . . not to exceed \$50; and

26               (E) if the face amount of the check or sight order  
27 is greater than \$500 (Art. 102.007, Code of Criminal

Procedure) . . . not to exceed \$75;

(22) a fee for pretrial intervention program (Art. 102.012, Code of Criminal Procedure) . . . not to exceed \$500;

(23) parking fee violations for child safety fund in municipalities with populations:

(A) greater than 850,000 (Art. 102.014, Code of Criminal Procedure) . . . not less than \$2 and not to exceed \$5; and

(B) less than 850,000 (Art. 102.014, Code of Criminal Procedure) . . . not to exceed \$5;

(24) an administrative fee for collection of fines, fees, restitution, or other costs (Art. 102.072, Code of Criminal Procedure) . . . not to exceed \$2 for each transaction;

(25) a court reporter fee when testimony is taken:

(A) in a criminal court in Dallas County (Sec. 25.0593, Government Code) . . . \$3;

(B) in a county criminal court of appeals in Dallas County (Sec. 25.0594, Government Code) . . . \$3;

(C) in a county court at law in McLennan County (Sec. 25.1572, Government Code) . . . \$3; and

(D) in a county criminal court in Tarrant County (Sec. 25.2223, Government Code) . . . \$3;

(26) a speedy trial filing fee in El Paso County (Sec. 54.745, Government Code) . . . \$100;

(27) costs for use of magistrate in Brazos County (Sec. 54.1116, Government Code) . . . not to exceed \$50;

(28) an administrative fee for participation in

1 certain community supervision programs (Sec. 76.015, Government  
2 Code) . . . not less than \$25 and not more than \$40 per month;

3 (29) in family matters:

4 (A) issuing writ of withholding (Sec. 8.262,  
5 Family Code) . . . \$15;

6 (B) filing copy of writ of withholding to  
7 subsequent employer (Sec. 8.267, Family Code) . . . \$15;

8 (C) issuing and delivering modified writ of  
9 withholding or notice of termination (Sec. 8.302, Family  
10 Code) . . . \$15;

11 (D) issuing and delivering notice of termination  
12 of withholding (Sec. 8.303, Family Code) . . . \$15;

13 (E) issuance of change of name certificate (Sec.  
14 45.106, Family Code) . . . \$10;

15 (F) protective order fee (Sec. 81.003, Family  
16 Code) . . . \$16;

17 (G) filing suit requesting adoption of child  
18 (Sec. 108.006, Family Code) . . . \$15;

19 (H) filing fees for suits affecting parent-child  
20 relationship (Sec. 110.002, Family Code):

21 (i) suit or motion for modification (Sec.  
22 110.002, Family Code) . . . \$15;

23 (ii) motion for enforcement (Sec. 110.002,  
24 Family Code) . . . \$15;

25 (iii) notice of application for judicial  
26 writ of withholding (Sec. 110.002, Family Code) . . . \$15;

27 (iv) motion to transfer (Sec. 110.002,

Family Code) . . . \$15;

(v) petition for license suspension (Sec. 110.002, Family Code) . . . \$15;

(vi) motion to revoke a stay of license suspension (Sec. 110.002, Family Code) . . . \$15; and

(vii) motion for contempt (Sec. 110.002, Family Code) . . . \$15;

(I) order or writ of income withholding to be delivered to employer (Sec. 110.004, Family Code) . . . not to exceed \$15;

(J) filing fee for transferred case (Sec. 110.005, Family Code) . . . \$45;

(K) filing a writ of withholding (Sec. 158.319, Family Code) . . . \$15;

(L) filing a request for modified writ of withholding or notice of termination (Sec. 158.403, Family Code) . . . not to exceed \$15;

(M) filing an administrative writ to employer (Sec. 158.503, Family Code) . . . not to exceed \$15; and

(N) genetic testing fees in relation to a child born to a gestational mother (Sec. 160.762, Family Code) . . . as assessed by the court;

(30) in juvenile court:

(A) fee schedule for deferred prosecution services (Sec. 53.03, Family Code) . . . maximum fee of \$15 a month;

(B) a teen court administration fee (Sec. 54.032,

Family Code) . . . not to exceed \$10;

(C) court costs for juvenile probation diversion fund (Sec. 54.0411, Family Code) . . . \$20;

(D) a juvenile delinquency prevention fee (Sec. 54.0461, Family Code) . . . \$5; and

(E) a court fee for child's probationary period (Sec. 54.061, Family Code) . . . not to exceed \$15 a month;

(31) a court reporter service fee if the courts have official court reporters (Sec. 51.601, Government Code) . . . \$15;

(32) administrative fee on dismissal of charge of driving with an expired motor vehicle registration (Sec. 502.407, Transportation Code) . . . not to exceed \$10;

(33) administrative fee on dismissal of charge of driving with an expired driver's license (Sec. 521.026, Transportation Code) . . . not to exceed \$10;

(34) administrative fee on remediation of charge of driving with an expired inspection certificate (Sec. 548.605, Transportation Code) . . . not to exceed \$10;

(35) administrative fee for failure to appear for a complaint or citation on certain offenses (Sec. 706.006, Transportation Code) . . . \$30 for each violation;

(36) administrative fee for failure to pay or satisfy certain judgments (Sec. 706.006, Transportation Code) . . . \$30;

(37) fee paid on filing a petition for an order of nondisclosure of criminal history record information in certain cases (Sec. 411.081, Government Code) . . . \$28; ~~and~~

(38) on a finding that an animal's owner has cruelly



1 treated the animal, court costs including:

2 (A) investigation (Sec. 821.023, Health and  
3 Safety Code) . . . actual costs;

4 (B) expert witnesses (Sec. 821.023, Health and  
5 Safety Code) . . . actual costs;

6 (C) housing and caring for the animal during its  
7 impoundment (Sec. 821.023, Health and Safety Code) . . . actual  
8 costs;

9 (D) conducting any public sale ordered by the  
10 court (Sec. 821.023, Health and Safety Code) . . . actual costs;  
11 and

12 (E) humanely destroying the animal if  
13 destruction is ordered by the court (Sec. 821.023, Health and  
14 Safety Code) . . . actual costs;

15 (39) the costs of a criminal magistrate if the court  
16 determines that the nonprevailing party is able to defray the  
17 costs:

18 (A) in Bexar County (Sec. 54.913, Government  
19 Code) . . . magistrate's fees;

20 (B) in Dallas County (Sec. 54.313, Government  
21 Code) . . . magistrate's fees;

22 (C) in Lubbock County (Sec. 54.883, Government  
23 Code) . . . magistrate's fees;

24 (D) in Tarrant County (Sec. 54.663, Government  
25 Code) . . . magistrate's fees;

26 (E) in Travis County (Sec. 54.983, Government  
27 Code) . . . magistrate's fees; and

1                   (F) in Williamson County (Sec. 54.958,  
2 Government Code) . . . expense of the magistrate; and  
3                   (40) a collection fee, if authorized by the  
4 commissioners court of a county or the governing body of a  
5 municipality, for certain debts and accounts receivable, including  
6 unpaid fines, fees, court costs, forfeited bonds, and restitution  
7 ordered paid (Art. 103.0031, Code of Criminal Procedure) . . . 30  
8 percent of an amount more than 60 days past due.

9           SECTION 10. Section 103.022, Government Code, is amended to  
10 read as follows:

11           Sec. 103.022. MISCELLANEOUS FEES AND COSTS. The following  
12 fees and costs shall be paid or collected as follows:

13                   (1) fee for use of an interpreter in civil cases (Sec.  
14 21.051, Civil Practice and Remedies Code) . . . \$3;

15                   (2) fee for custodian of a record compelled by a court  
16 to produce or certify the record (Sec. 22.004, Civil Practice and  
17 Remedies Code) . . . \$1;

18                   (3) cost for use of certified copy of the record of  
19 names of all trustees appointed by any state organization of a  
20 religious congregation in this state (Sec. 126.012, Civil Practice  
21 and Remedies Code) . . . \$1.50;

22                   (4) filing of a restitution lien (Art. 42.22, Code of  
23 Criminal Procedure) . . . \$5;

24                   (5) issuance and service of a warrant of arrest for  
25 certain offenses if prescribed by the municipality (Art. 45.203,  
26 Code of Criminal Procedure) . . . not to exceed \$25;

27                   (6) filing a certified copy of a judicial finding of

1 fact and conclusion of law if charged by the secretary of state  
2 (Sec. 51.905, Government Code) . . . \$15;

3 (7) costs of determining and sending information  
4 concerning the identity of the court with continuing, exclusive  
5 jurisdiction if charged by the bureau of vital statistics (Sec.  
6 108.006, Family Code) . . . reasonable fee;

7 (8) initial operations fee paid to domestic relations  
8 office on filing of a suit affecting the parent-child relationship,  
9 if authorized by the administering entity (Sec. 203.005, Family  
10 Code) . . . not to exceed \$15;

11 (9) initial child support service fee paid to domestic  
12 relations office in certain counties on filing of a suit affecting  
13 the parent-child relationship, if authorized by the administering  
14 entity (Sec. 203.005, Family Code) . . . not to exceed \$36;

15 (10) service fee for services of a domestic relations  
16 office, if authorized by the administering entity (Sec. 203.005,  
17 Family Code) . . . not to exceed \$3 per month;

18 (11) fee from a Title IV-D agency for each item of  
19 process to each individual on whom service is required, including  
20 service by certified or registered mail (Sec. 231.202, Family  
21 Code) . . . the amount that a sheriff or constable may charge for  
22 serving process under Section 118.131, Local Government Code;

23 (12) a copy of records of spousal or child support and  
24 fees administered in Dallas County if authorized by the local  
25 administrative judge (Sec. 152.0634, Human Resources  
26 Code) . . . not to exceed \$2 per page;

27 (13) collecting, disbursing, or monitoring spousal or

1 child support payments in Dallas County (Sec. 152.0635, Human  
2 Resources Code) . . . not to exceed \$3 per month;

3 (14) fee for adoption, family, and home study  
4 investigations in an adoption in Dallas County (Sec. 152.0635,  
5 Human Resources Code) . . . not to exceed \$250;

6 (15) certain transactions with respect to a suit for  
7 spousal support or a suit affecting the parent-child relationship  
8 in Harris County, if authorized by the county commissioners court  
9 (Sec. 152.1074, Human Resources Code) . . . not to exceed \$2 per  
10 transaction;

11 (16) child support service fee in Smith [~~Nueces~~  
12 County~~], if [authorized by the county commissioners]~~ court allows  
13 assessment by child support office (Sec. 152.2183 [~~152.1844~~], Human  
14 Resources Code) . . . not to exceed \$2.50 a [~~\$5 per~~] month;

15 (17) services by the offices of the sheriff and  
16 constables (Sec. 118.131, Local Government Code) . . . amount set  
17 by county commissioners court;

18 (18) cost paid by each surety posting the bail bond for  
19 an offense other than a misdemeanor punishable by fine only under  
20 Chapter 17, Code of Criminal Procedure, for the felony prosecutor  
21 supplement fund and the fair defense account (Sec. 41.258,  
22 Government Code) . . . \$15, provided the cost does not exceed \$30  
23 for all bail bonds posted at that time for an individual and the  
24 cost is not required on the posting of a personal or cash bond;

25 (19) appraiser's fee as court costs for determining  
26 the fair value of ownership interests of owners who have perfected  
27 their rights (Sec. 10.365, Business Organizations Code) . . . a

reasonable fee;

(19-a) an appraiser's fee as court costs for determining the fair value of the shares of the shareholders entitled to payment for their shares in a real estate investment trust (Sec. 25.20, Art. 6138A, Vernon's Texas Civil Statutes) . . . a reasonable fee;

(19-b) an appraiser's fee as court costs for determining the fair value of the shares of the shareholders entitled to payment for their shares by the existing, surviving, or new corporation (Art. 5.12, Texas Business Corporation Act) . . . a reasonable fee; [and]

(20) to participate in a court proceeding in this state, a nonresident attorney fee for civil legal services to the indigent (Sec. 82.0361, Government Code) . . . \$250 except as waived or reduced under supreme court rules for representing an indigent person;

(21) a witness's fee for one day to be paid by the party who subpoenas the witness (Sec. 22.001, Civil Practice and Remedies Code) . . . \$10;

(22) on a party's appeal of a final decision in a contested case, the cost of preparing the original or a certified copy of the record of the agency proceeding, if required by the agency's rule, as a court cost (Sec. 2001.177, Government Code) . . . as assessed by the court, all or part of the cost of preparation;

(23) the costs of arbitration in cases between a juvenile board and a school district that fail to agree on a

1 memorandum of understanding related to the juvenile justice  
2 alternative education program (Sec. 37.011, Education  
3 Code) . . . each party its pro rata share of the costs;

4 (24) compensation to a referee in juvenile court in  
5 Wichita County taxed as costs if the judge determines the parties  
6 are able to pay the costs (Sec. 54.403, Government Code) . . . as  
7 determined by the judge;

8 (25) the expense of preserving the record as a court  
9 cost in Brazos County if imposed on a party by the referring court  
10 or magistrate (Sec. 54.1111, Government Code) . . . actual cost;

11 (26) a filing fee or recording fee for each page of a  
12 legal paper presented for filing or recording that fails to meet  
13 certain requirements regarding paper size, weight, substance,  
14 headings, legibility, the presence of typed or printed names under  
15 each signature, and number and size of riders or attachments (Sec.  
16 191.007, Local Government Code) . . . twice the regular filing fee  
17 or recording fee provided by statute for that page, rider, or  
18 attachment;

19 (27) a processing fee as authorized by the  
20 commissioners court for the payment by credit card of a fee, court  
21 cost, or other charge processed by a county or precinct officer  
22 (Secs. 132.002 and 132.003, Local Government Code) . . . an amount  
23 reasonably related to the expense incurred by the county or  
24 precinct officer but not to exceed five percent of the amount of the  
25 fee, court cost, or other charge being paid;

26 (28) a processing fee as authorized by the governing  
27 body of the municipality for the payment by credit card of a fee,

court cost, or other charge processed by a municipal official  
(Secs. 132.002 and 132.003, Local Government Code) . . . an amount  
reasonably related to the expense incurred by the municipal  
official but not to exceed five percent of the amount of the fee,  
court cost, or other charge being paid;

(29) a handling fee, if authorized by the  
commissioners court under Section 132.002, Local Government Code,  
for electronically processing the payment of a fee, fine, court  
cost, or other charge (Secs. 132.002 and 132.003, Local Government  
Code):

(A) charged at a flat rate that does not exceed \$5  
for each payment transaction; or

(B) charged at a rate reasonably related to the  
expense incurred in processing a payment and that does not exceed  
five percent of the amount of the fee, court cost, or other charge  
being paid;

(30) a fee, if authorized by the commissioners court,  
collected by a county or precinct officer on behalf of the county  
from a person making payment by credit card of a fee, court cost, or  
other charge (Sec. 132.003, Local Government Code) . . . an amount  
equal to the amount of any transaction fee charged to the county by  
a vendor providing services in connection with payments made by  
credit card;

(31) a fee for sale of securities under an offering  
that has not been registered, if the transaction or securities are  
not exempt (Art. 581-35-2, Vernon's Texas Civil Statutes) . . . as  
set by the securities commissioner or court, but not to exceed six

1 times the amount that would have been paid if the issuer had filed  
 2 an application to register the securities and paid the fee  
 3 prescribed based on the amount of sales made in this state within  
 4 the prior three years, plus interest on that amount from the date of  
 5 the first sale made in this state until the date the fee is paid; and

6 (32) a fee for mailing an order vacating or staying an  
 7 order suspending a license to the appropriate licensing authority  
 8 (Sec. 232.013, Family Code) . . . \$5 for each order mailed.

9 SECTION 11. Chapter 104, Government Code, is repealed.

10 SECTION 12. (a) Sections 1 through 10 of this Act amend  
 11 provisions in Chapters 101, 102, and 103, Government Code, as  
 12 amended by the Final Report Regarding Actions to Conform the  
 13 Statutory Index of Court Fees and Costs to the Acts of the 78th  
 14 Legislature. The report was effective September 3, 2004, and was  
 15 prepared and published in accordance with Chapter 104, Government  
 16 Code, as it existed before the effective date of this Act. The  
 17 report is available at the Texas Legislative Council's Internet  
 18 website under the heading "Reports/Documents" at  
 19 <http://www.tlc.state.tx.us/tlc.htm>. At that website the report is  
 20 identified as the "Final Report" under "Court Fees Project."

21 (b) The legislature finds that the index of court fees and  
 22 costs provided by Chapters 101, 102, and 103, Government Code, is  
 23 complete with the passage of this Act and the publication of the  
 24 report. The legislature also finds that additional reports under  
 25 Chapter 104, Government Code, to update the index in the future are  
 26 no longer necessary because the updating will occur under the Texas  
 27 Legislative Council's permanent statutory revision program. The



S.B. No. 291

1 council is required, as part of that program, under Subdivision  
2 (4), Subsection (c), Section 323.007, Government Code, to formulate  
3 and implement a continuous revision program of all Texas statutes,  
4 which include the index of court fees and costs.

5 SECTION 13. If any provision of this Act conflicts with a  
6 statute enacted by the 79th Legislature, Regular Session, 2005, the  
7 statute controls.

8 SECTION 14. This Act takes effect September 1, 2005.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**March 21, 2005**

**TO:** Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: SB291** by West, Royce (Relating to the index of court fees and costs.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would update the statutory index of court fees and costs to include those currently located in other existing statutes but that previously had not been listed in the comprehensive index. The bill would also repeal the requirement that the Texas Legislative Council review all statutes and prepare a report to update the index of court fees and costs because the report has been published, and enactment of the bill would reflect the findings shown in that report. In addition, maintaining the completeness of the list would exist as a permanent statutory requirement of the Texas Legislative Council. The bill would take effect September 1, 2005, and in any conflict with other statutes, the index of fees would prevail.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 103 Legislative Council, 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 665 Juvenile Probation Commission, 696 Department of Criminal Justice

**LBB Staff:** JOB, DLBa, LG

# HOUSE COMMITTEE REPORT

1<sup>st</sup> Printing

By: West  
(Alonzo, Hartnett)

S.B. No. 291

## A BILL TO BE ENTITLED

### AN ACT

relating to the index of court fees and costs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 101.061, Government Code, is amended to read as follows:

Sec. 101.061. DISTRICT COURT FEES AND COSTS. The clerk of a district court shall collect fees and costs as follows:

(1) filing fee in action with respect to a fraudulent court record or fraudulent lien or claim filed against property (Sec. 12.005, Civil Practice and Remedies Code) . . . \$15;

(2) fee for service of notice of action with respect to a fraudulent court record or fraudulent lien or claim filed against property (Sec. 12.005, Civil Practice and Remedies Code) . . . not to exceed \$20, if notice delivered in person, or the cost of postage, if service is by registered or certified mail;

(3) court cost in certain civil cases to establish and maintain an alternative dispute resolution system, if authorized by the county commissioners court (Sec. 152.004, Civil Practice and Remedies Code) . . . not to exceed \$10;

(4) appellate judicial system filing fees for:

(A) First or Fourteenth Court of Appeals District (Sec. 22.2021, Government Code) . . . not more than \$5;

(B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . not more than \$5;

(C) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;

(D) Fifth Court of Appeals District (Sec. 22.2061, Government Code) . . . not more than \$5; and

(E) Thirteenth Court of Appeals District (Sec. 22.2141, Government Code) . . . not more than \$5;

(5) additional filing fees:

(A) for each suit filed for insurance contingency fund, if authorized by the county commissioners court (Sec. 51.302, Government Code) . . . not to exceed \$5;

(B) for each civil suit filed, for court-related purposes for the support of the judiciary and for civil legal services to an indigent:

(i) for family law cases and proceedings as defined by Section 25.0002, Government Code (Sec. 133.151, Local Government Code) . . . \$45; or

(ii) for any case other than a case described by Subparagraph (i) (Sec. 133.151, Local Government Code) . . . \$50;

(C) to fund the improvement of Dallas County civil court facilities, if authorized by the county commissioners court (Sec. 51.705, Government Code) . . . not more than \$15; and

(D) on the filing of any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader, or third-party action requiring a filing fee, to fund civil legal services for the indigent:

1 (i) for family law cases and proceedings as  
2 defined by Section 25.0002, Government Code (Sec. 133.152, Local  
3 Government Code) . . . \$5; or

4 (ii) for any case other than a case  
5 described by Subparagraph (i) (Sec. 133.152, Local Government  
6 Code) . . . \$10;

7 (6) for filing a suit, including an appeal from an  
8 inferior court:

9 (A) for a suit with 10 or fewer plaintiffs (Sec.  
10 51.317, Government Code) . . . \$50;

11 (B) for a suit with at least 11 but not more than  
12 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

13 (C) for a suit with at least 26 but not more than  
14 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

15 (D) for a suit with at least 101 but not more than  
16 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

17 (E) for a suit with at least 501 but not more than  
18 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

19 (F) for a suit with more than 1,000 plaintiffs  
20 (Sec. 51.317, Government Code) . . . \$200;

21 (7) for filing a cross-action, counterclaim,  
22 intervention, contempt action, motion for new trial, or third-party  
23 petition (Sec. 51.317, Government Code) . . . \$15;

24 (8) for issuing a citation or other writ or process not  
25 otherwise provided for, including one copy, when requested at the  
26 time a suit or action is filed (Sec. 51.317, Government  
27 Code) . . . \$8;

(9) for records management and preservation (Sec. 51.317, Government Code) . . . \$10;

(10) for issuing a subpoena, including one copy (Sec. 51.318, Government Code) . . . \$8;

(11) for issuing a citation, commission for deposition, writ of execution, order of sale, writ of execution and order of sale, writ of injunction, writ of garnishment, writ of attachment, or writ of sequestration not provided for in Section 51.317, or any other writ or process not otherwise provided for, including one copy if required by law (Sec. 51.318, Government Code) . . . \$8;

(12) for searching files or records to locate a cause when the docket number is not provided (Sec. 51.318, Government Code) . . . \$5;

(13) for searching files or records to ascertain the existence of an instrument or record in the district clerk's office (Sec. 51.318, Government Code) . . . \$5;

(14) for abstracting a judgment (Sec. 51.318, Government Code) . . . \$8;

(15) for approving a bond (Sec. 51.318, Government Code) . . . \$4;

(16) for a certified copy of a record, judgment, order, pleading, or paper on file or of record in the district clerk's office, including certificate and seal, for each page or part of a page (Sec. 51.318, Government Code) . . . \$1;

(17) for a noncertified copy, for each page or part of a page (Sec. 51.318, Government Code) . . . not to exceed \$1;

(18) jury fee (Sec. 51.604, Government Code) . . . \$30;

(19) for filing a report of divorce or annulment (Sec. 194.002, Health and Safety Code) . . . \$1;

(20) for filing a suit in Comal County (Sec. 152.0522, Human Resources Code) . . . \$4;

(21) additional filing fee for family protection on filing a suit for dissolution of a marriage under Chapter 6, Family Code, if authorized by the county commissioners court (Sec. 51.961, Government Code) . . . not to exceed \$15;

(22) fee on filing a suit for dissolution of a marriage for services of child support department in Harris County, if authorized by the county commissioners court (Sec. 152.1074, Human Resources Code) . . . not to exceed \$12;

(22-a) a child support service fee in Nueces County if ordered by the commissioners court and assessed by the court (Sec. 152.1844, Human Resources Code) . . . not to exceed \$5 a month payable annually in advance;

(22-b) a service fee to be paid by a person ordered by a district court to pay child or spousal support:

(A) in Collin County if authorized by the juvenile board (Sec. 152.0492, Human Resources Code) . . . not to exceed \$2.50 added to first support payment each month;

(B) in Johnson County if authorized by the juvenile board (Sec. 152.1322, Human Resources Code) . . . \$1.00 added to first support payment each month; and

(C) in Montague County (Sec. 152.1752, Human

Resources Code) . . . \$1 if fee is ordered to be paid monthly, 50 cents if fee is ordered to be paid semimonthly or weekly;

(22-c) attorney's fees as an additional cost in Montague County on a finding of contempt of court for failure to pay child or spousal support if the contempt action is initiated by the probation department (Sec. 152.1752, Human Resources Code) . . . \$15;

(23) fee on filing a suit requesting an adoption in Montague County (Sec. 152.1752, Human Resources Code) . . . \$25;

(24) court cost on citation for contempt of court for failure to comply with child support order in Nueces County, if authorized by the commissioners court (Sec. 152.1844, Human Resources Code) . . . not to exceed \$10;

(25) fee on filing a suit for divorce in Orange County (Sec. 152.1873, Human Resources Code) . . . not less than \$5;

(26) court costs on citation for contempt of court in Orange County for failure to comply with a child support order or order providing for possession of or access to a child (Sec. 152.1873, Human Resources Code) . . . amount determined by district clerk;

(27) fee on filing a suit requesting an adoption in Orange County (Sec. 152.1874, Human Resources Code) . . . not less than \$25;

(28) fee on filing a suit requesting an adoption in Wichita County (Sec. 152.2496, Human Resources Code) . . . \$100;

(29) additional filing fee to fund the courthouse security fund, if authorized by the county commissioners court



(Sec. 291.008, Local Government Code) . . . not to exceed \$5;

(30) additional filing fee for filing documents not subject to certain filing fees to fund the courthouse security fund, if authorized by the county commissioners court (Sec. 291.008, Local Government Code) . . . \$1;

(31) additional filing fee to fund the courthouse security fund in Webb County, if authorized by the county commissioners court (Sec. 291.009, Local Government Code) . . . not to exceed \$20;

(32) court cost in civil cases other than suits for delinquent taxes to fund the county law library fund, if authorized by the county commissioners court (Sec. 323.023, Local Government Code) . . . not to exceed \$35;

(33) when administering a case for the Rockwall County Court at Law (Sec. 25.2012, Government Code) . . . civil fees and court costs as if the case had been filed in district court;

(34) at a hearing held by an associate judge in Dallas County, a court cost to preserve the record, in the absence of a court reporter, by other means (Sec. 54.509, Government Code) . . . as assessed by the referring court or associate judge; [and]

(35) at a hearing held by an associate judge in Duval County, a court cost to preserve the record (Sec. 54.1151, Government Code, as added by Chapter 1150, Acts of the 78th Legislature, Regular Session, 2003) . . . as imposed by the referring court or associate judge;

(36) court fees and costs, if ordered by the court, for

1 a suit filed by an inmate in which an affidavit or unsworn  
2 declaration of inability to pay costs is filed by the inmate (Sec.  
3 14.006, Civil Practice and Remedies Code) . . . the lesser of:

4 (A) 20 percent of the preceding six months'  
5 deposits to the inmate's trust account administered by the Texas  
6 Department of Criminal Justice under Section 501.014, Government  
7 Code; or

8 (B) the total amount of court fees and costs;

9 (37) monthly payment for remaining court fees and  
10 costs after the initial payment for a suit in which an affidavit or  
11 unsworn declaration of inability to pay costs is filed by the inmate  
12 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser  
13 of:

14 (A) 10 percent of that month's deposit to the  
15 inmate's trust account administered by the Texas Department of  
16 Criminal Justice under Section 501.014, Government Code; or

17 (B) the total amount of court fees and costs that  
18 remain unpaid;

19 (38) the following costs not otherwise charged to the  
20 inmate under Section 14.006, Civil Practice and Remedies Code, if  
21 the inmate has previously filed an action dismissed as malicious or  
22 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

23 (A) expenses of service of process;

24 (B) postage; and

25 (C) transportation, housing, or medical care  
26 incurred in connection with the appearance of the inmate in the  
27 court for any proceeding;

1           (39) fee for performing a service:

2                   (A) related to the matter of the estate of a  
3 deceased person (Sec. 51.319, Government Code) . . . the same fee  
4 allowed the county clerk for those services;

5                   (B) related to the matter of a minor (Sec.  
6 51.319, Government Code) . . . the same fee allowed the county  
7 clerk for the service;

8                   (C) of serving process by certified or registered  
9 mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or  
10 constable is authorized to charge for the service under Section  
11 118.131, Local Government Code; and

12                   (D) prescribed or authorized by law but for which  
13 no fee is set (Sec. 51.319, Government Code) . . . a reasonable  
14 fee;

15           (40) court costs, which may include expert witness  
16 fees in Travis County in an action in which the plaintiff prevails  
17 against an insurer for economic damages sustained by the plaintiff  
18 as a result of unfair discrimination (Sec. 544.054, Insurance  
19 Code) . . . court costs and reasonable and necessary expert  
20 witness fees;

21           (41) security deposit on filing, by any person other  
22 than the personal representative of an estate, an application,  
23 complaint, or opposition in relation to the estate, if required by  
24 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the  
25 proceeding;

26           (42) security deposit on filing, by any person other  
27 than the guardian, attorney ad litem, or guardian ad litem, an

1 application, complaint, or opposition in relation to a guardianship  
2 matter, if required by the clerk (Sec. 622, Texas Probate  
3 Code) . . . probable cost of the guardianship proceeding; and  
4 (43) fee for filing an additional petition for review  
5 of an appraisal review board order relating to certain regulated  
6 property running through or operating in more than one county after  
7 the first petition for review relating to the same property is filed  
8 for a tax year (Sec. 42.221, Tax Code) . . . \$5.

9 SECTION 2. Section 101.081, Government Code, is amended to  
10 read as follows:

11 Sec. 101.081. STATUTORY COUNTY COURT FEES AND COSTS. The  
12 clerk of a statutory county court shall collect fees and costs as  
13 follows:

14 (1) court cost in certain civil cases to establish and  
15 maintain an alternative dispute resolution system, if authorized by  
16 the county commissioners court (Sec. 152.004, Civil Practice and  
17 Remedies Code) . . . not to exceed \$10;

18 (2) appellate judicial system filing fees:

19 (A) First or Fourteenth Court of Appeals District  
20 (Sec. 22.2021, Government Code) . . . not more than \$5;

21 (B) Second Court of Appeals District (Sec.  
22 22.2031, Government Code) . . . not more than \$5;

23 (C) Fourth Court of Appeals District (Sec.  
24 22.2051, Government Code) . . . not more than \$5;

25 (D) Fifth Court of Appeals District (Sec.  
26 22.2061, Government Code) . . . not more than \$5; and

27 (E) Thirteenth Court of Appeals District (Sec.

22.2141, Government Code) . . . not more than \$5;

(3) an official court reporter fee, County Court at Law No. 2 of Bexar County (Sec. 25.0172, Government Code) . . . \$3;

(4) a court reporter fee when testimony is taken in a county court at law in McLennan County (Sec. 25.1572, Government Code) . . . \$3;

(5) a stenographer fee, if a record or part of a record is made:

(A) in a county court at law in Hidalgo County (Sec. 25.1102, Government Code) . . . \$20; and

(B) in a county court at law in Nolan County (Sec. 25.1792, Government Code) . . . \$25;

(6) jury fee (Sec. 51.604, Government Code) . . . \$22;

(7) an additional filing fee:

(A) for each civil case filed to be used for court-related purposes for the support of the judiciary, if authorized by the county commissioners court (Sec. 51.702, Government Code) . . . \$40;

(B) to fund the improvement of Dallas County civil court facilities, if authorized by the county commissioners court (Sec. 51.705, Government Code) . . . not more than \$15; and

(C) for filing any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader, or third-party action requiring a filing fee, to fund civil legal services for the indigent (Sec. 133.153, Local Government

Code) . . . \$5;

(8) for filing an application for registration of death (Sec. 193.007, Health and Safety Code) . . . \$1;

(9) fee for judge's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;

(10) fee for prosecutor's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;

(11) for filing a suit in Comal County (Sec. 152.0522, Human Resources Code) . . . \$4;

(12) additional filing fee to fund contingency fund for liability insurance, if authorized by the county commissioners court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

(13) civil court actions (Sec. 118.052, Local Government Code):

(A) filing of original action (Secs. 118.052 and 118.053, Local Government Code):

(i) garnishment after judgment (Sec. 118.052, Local Government Code) . . . \$15; and

(ii) all others (Sec. 118.052, Local Government Code) . . . \$40;

(B) filing of action other than original (Secs. 118.052 and 118.054, Local Government Code) . . . \$30; and

(C) services rendered after judgment in original action (Secs. 118.052 and 118.0545, Local Government Code):

(i) abstract of judgment (Sec. 118.052,

1 Local Government Code) . . . \$5; and

2 (ii) execution, order of sale, writ, or  
3 other process (Sec. 118.052, Local Government Code) . . . \$5;

4 (14) probate court actions (Sec. 118.052, Local  
5 Government Code):

6 (A) probate original action (Secs. 118.052 and  
7 118.055, Local Government Code):

8 (i) probate of a will with independent  
9 executor, administration with will attached, administration of an  
10 estate, guardianship or receivership of an estate, or muniment of  
11 title (Sec. 118.052, Local Government Code) . . . \$40;

12 (ii) community survivors (Sec. 118.052,  
13 Local Government Code) . . . \$40;

14 (iii) small estates (Sec. 118.052, Local  
15 Government Code) . . . \$40;

16 (iv) declarations of heirship (Sec.  
17 118.052, Local Government Code) . . . \$40;

18 (v) mental health or chemical dependency  
19 services (Sec. 118.052, Local Government Code) . . . \$40; and

20 (vi) additional, special fee (Secs. 118.052  
21 and 118.064, Local Government Code) . . . \$5;

22 (B) services in pending probate action (Secs.  
23 118.052 and 118.056, Local Government Code):

24 (i) filing an inventory and appraisement  
25 after the 120th day after the date of the initial filing of the  
26 action (Sec. 118.052, Local Government Code) . . . \$25;

27 (ii) approving and recording bond (Sec.

1 118.052, Local Government Code) . . . \$3;  
2 (iii) administering oath (Sec. 118.052,  
3 Local Government Code) . . . \$2;  
4 (iv) filing annual or final account of  
5 estate (Sec. 118.052, Local Government Code) . . . \$25;  
6 (v) filing application for sale of real or  
7 personal property (Sec. 118.052, Local Government Code) . . . \$25;  
8 and  
9 (vi) filing annual or final report of  
10 guardian of a person (Sec. 118.052, Local Government  
11 Code) . . . \$10;  
12 (C) adverse probate action (Secs. 118.052 and  
13 118.057, Local Government Code) . . . \$40; and  
14 (D) claim against estate (Secs. 118.052 and  
15 118.058, Local Government Code) . . . \$2;  
16 (15) other fees (Sec. 118.052, Local Government Code):  
17 (A) issuing document (Secs. 118.052 and 118.059,  
18 Local Government Code):  
19 (i) original document and one copy (Sec.  
20 118.052, Local Government Code) . . . \$4; and  
21 (ii) each additional set of an original and  
22 one copy (Sec. 118.052, Local Government Code) . . . \$4;  
23 (B) certified papers (Secs. 118.052 and 118.060,  
24 Local Government Code):  
25 (i) for the clerk's certificate (Sec.  
26 118.052, Local Government Code) . . . \$5; and  
27 (ii) a fee per page or part of a page (Sec.



1 118.052, Local Government Code) . . . \$1;

2 (C) noncertified papers, for each page or part of  
3 a page (Secs. 118.052 and 118.0605, Local Government  
4 Code) . . . \$1;

5 (D) letters testamentary, letter of  
6 guardianship, letter of administration, or abstract of judgment  
7 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

8 (E) safekeeping of wills (Secs. 118.052 and  
9 118.062, Local Government Code) . . . \$5;

10 (F) mail service of process (Secs. 118.052 and  
11 118.063, Local Government Code) . . . same as sheriff; and

12 (G) records management and preservation fee  
13 (Secs. 118.052, 118.0546, and 118.0645, Local Government  
14 Code) . . . \$5;

15 (16) additional filing fee to fund the courthouse  
16 security fund, if authorized by the county commissioners court  
17 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

18 (17) additional filing fee for filing documents not  
19 subject to certain filing fees to fund the courthouse security  
20 fund, if authorized by the county commissioners court (Sec.  
21 291.008, Local Government Code) . . . \$1;

22 (18) additional filing fee to fund the courthouse  
23 security fund in Webb County, if authorized by the county  
24 commissioners court (Sec. 291.009, Local Government  
25 Code) . . . not to exceed \$20;

26 (19) court cost in civil cases other than suits for  
27 delinquent taxes to fund the county law library fund, if authorized

by the county commissioners court (Sec. 323.023, Local Government Code) . . . not to exceed \$35;

(20) fee for deposit of a will with the county clerk during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

(21) court cost for each special commissioner in an eminent domain proceeding (Sec. 21.047, Property Code) . . . as taxed by the court, \$10 or more; ~~and~~

(22) fee for county attorney in a suit regarding a railroad company's failure to keep roadbed and right-of-way in proper condition (Art. 6327, Vernon's Texas Civil Statutes) . . . \$10;

(23) court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 20 percent of the preceding six months' deposits to the inmate's trust account administered by the Texas Department of Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs;

(24) monthly payment for remaining court fees and costs after the initial payment for a suit in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 10 percent of that month's deposit to the inmate's trust account administered by the Texas Department of

Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs that remain unpaid;

(25) the following costs not otherwise charged to the inmate under Section 14.006, Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous (Sec. 14.007, Civil Practice and Remedies Code):

(A) expenses of service of process;

(B) postage; and

(C) transportation, housing, or medical care incurred in connection with the appearance of the inmate in the court for any proceeding;

(26) the official court reporter's fee taxed as costs in civil actions in a statutory county court:

(A) in Bexar County Courts at Law:

(i) Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 (Sec. 25.0172, Government Code) . . . taxed in the same manner as the fee is taxed in district court; and

(ii) No. 2 (Sec. 25.0172, Government Code) . . . \$3;

(B) in Galveston County (Sec. 25.0862, Government Code) . . . taxed in the same manner as the fee is taxed in civil cases in the district courts; and

(C) in Parker County (Sec. 25.1862, Government Code) . . . taxed in the same manner as the fee is taxed in civil cases in the district courts;

(27) a stenographer's fee as costs in each civil,

criminal, and probate case in which a record is made by the official court reporter in a statutory county court in Nolan County (Sec. 25.1792, Government Code) . . . \$25;

(28) in Brazoria County, in matters of concurrent jurisdiction with the district court, fees (Sec. 25.0222, Government Code) . . . as prescribed by law for district judges according to the nature of the matter;

(29) in Nueces County, in matters of concurrent jurisdiction with the district court, with certain exceptions, fees (Sec. 25.1802, Government Code) . . . equal to those in district court cases;

(30) security deposit on filing, by any person other than the personal representative of an estate, an application, complaint, or opposition in relation to the estate, if required by the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the proceeding;

(31) security deposit on filing, by any person other than the guardian, attorney ad litem, or guardian ad litem, an application, complaint, or opposition in relation to a guardianship matter, if required by the clerk (Sec. 622, Texas Probate Code) . . . probable cost of the guardianship proceeding;

(32) for a hearing or proceeding under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as costs (Secs. 571.017 and 571.018, Health and Safety Code) . . . reasonable compensation to the following persons appointed under the Texas Mental Health Code:

(A) attorneys;

1                   (B) physicians;

2                   (C) language interpreters;

3                   (D) sign interpreters; and

4                   (E) masters;

5                   (33) for a hearing or proceeding under the Texas  
6 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
7 costs (Sec. 571.018, Health and Safety Code):

8                   (A) attorney's fees;

9                   (B) physician examination fees;

10                   (C) expense of transportation to a mental health  
11 facility or to a federal agency not to exceed \$50 if transporting  
12 within the same county and not to exceed the reasonable cost of  
13 transportation if transporting between counties;

14                   (D) costs and salary supplements authorized  
15 under Section 574.031, Health and Safety Code; and

16                   (E) prosecutors' fees authorized under Section  
17 574.031, Health and Safety Code;

18                   (34) expenses of transporting certain patients from  
19 the county of treatment to a hearing in the county in which the  
20 proceedings originated (Sec. 574.008, Health and Safety  
21 Code) . . . actual expenses unless certain arrangements are made  
22 to hold the hearing in the county in which the patient is receiving  
23 services;

24                   (35) expenses for expert witness testimony for an  
25 indigent patient (Sec. 574.010, Health and Safety Code) . . . if  
26 authorized by the court as reimbursement to the attorney ad litem,  
27 court-approved expenses;

S.B. No. 291

(36) fee for judge's services for holding a hearing on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . as assessed by the judge, not to exceed \$50;

(37) expenses to reimburse judge for holding a hearing in a hospital or location other than the county courthouse (Sec. 574.031, Health and Safety Code) . . . reasonable and necessary expenses as certified;

(38) fee for services of a prosecuting attorney, including costs incurred for preparation of documents related to a hearing on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . as assessed by the judge, not to exceed \$50; and

(39) a fee not otherwise listed in this section that is required to be collected under Section 25.0008, Government Code (Sec. 25.0008, Government Code), in a county other than Brazos, Cameron, Ellis, Guadalupe, Harris, Henderson, Liberty, Moore, Nolan, Panola, Parker, Starr, Victoria, and Williamson . . . as prescribed by law relating to county judges' fees.

SECTION 3. Section 101.101, Government Code, is amended to read as follows:

Sec. 101.101. STATUTORY PROBATE COURT FEES AND COSTS. The clerk of a statutory probate court shall collect fees and costs as follows:

(1) court cost in certain civil cases to establish and maintain an alternative dispute resolution system, if authorized by the county commissioners court (Sec. 152.004, Civil Practice and

1 Remedies Code) . . . not to exceed \$10;

2 (2) appellate judicial system filing fees:

3 (A) First or Fourteenth Court of Appeals District

4 (Sec. 22.2021, Government Code) . . . not more than \$5;

5 (B) Second Court of Appeals District (Sec.

6 22.2031, Government Code) . . . not more than \$5;

7 (C) Fourth Court of Appeals District (Sec.

8 22.2051, Government Code) . . . not more than \$5;

9 (D) Fifth Court of Appeals District (Sec.

10 22.2061, Government Code) . . . not more than \$5; and

11 (E) Thirteenth Court of Appeals District (Sec.

12 22.2141, Government Code) . . . not more than \$5;

13 (3) additional filing fees as follows:

14 (A) for certain cases to be used for

15 court-related purposes for support of the judiciary, if authorized

16 by the county commissioners court (Sec. 51.704, Government

17 Code) . . . \$40;

18 (B) to fund the improvement of Dallas County

19 civil court facilities, if authorized by the county commissioners

20 court (Sec. 51.705, Government Code) . . . not more than \$15; and

21 (C) for filing any civil action or proceeding

22 requiring a filing fee, including an appeal, and on the filing of

23 any counterclaim, cross-action, intervention, interpleader, or

24 third-party action requiring a filing fee to fund civil legal

25 services for the indigent (Sec. 133.153, Local Government

26 Code) . . . \$5;

27 (4) for filing an application for registration of

1 death (Sec. 193.007, Health and Safety Code) . . . \$1;

2 (5) fee for judge's services on an application for  
3 court-ordered mental health services (Sec. 574.031, Health and  
4 Safety Code) . . . not to exceed \$50;

5 (6) fee for prosecutor's services on an application  
6 for court-ordered mental health services (Sec. 574.031, Health and  
7 Safety Code) . . . not to exceed \$50;

8 (7) additional filing fee to fund contingency fund for  
9 liability insurance, if authorized by the county commissioners  
10 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

11 (8) probate court actions (Sec. 118.052, Local  
12 Government Code):

13 (A) probate original action (Secs. 118.052 and  
14 118.055, Local Government Code):

15 (i) probate of a will with independent  
16 executor, administration with will attached, administration of an  
17 estate, guardianship or receivership of an estate, or muniment of  
18 title (Sec. 118.052, Local Government Code) . . . \$40;

19 (ii) community survivors (Sec. 118.052,  
20 Local Government Code) . . . \$40;

21 (iii) small estates (Sec. 118.052, Local  
22 Government Code) . . . \$40;

23 (iv) declarations of heirship (Sec.  
24 118.052, Local Government Code) . . . \$40;

25 (v) mental health or chemical dependency  
26 services (Sec. 118.052, Local Government Code) . . . \$40; and

27 (vi) additional, special fee (Secs. 118.052



1 and 118.064, Local Government Code) . . . \$5;

2 (B) services in pending probate action (Secs.

3 118.052 and 118.056, Local Government Code):

4 (i) filing an inventory and appraisement

5 after the 120th day after the date of the initial filing of the

6 action (Sec. 118.052, Local Government Code) . . . \$25;

7 (ii) approving and recording bond (Sec.

8 118.052, Local Government Code) . . . \$3;

9 (iii) administering oath (Sec. 118.052,

10 Local Government Code) . . . \$2;

11 (iv) filing annual or final account of

12 estate (Sec. 118.052, Local Government Code) . . . \$25;

13 (v) filing application for sale of real or

14 personal property (Sec. 118.052, Local Government Code) . . . \$25;

15 and

16 (vi) filing annual or final report of

17 guardian of a person (Sec. 118.052, Local Government

18 Code) . . . \$10;

19 (C) adverse probate action (Secs. 118.052 and

20 118.057, Local Government Code) . . . \$40; and

21 (D) claim against estate (Secs. 118.052 and

22 118.058, Local Government Code) . . . \$2;

23 (9) other fees (Sec. 118.052, Local Government Code):

24 (A) issuing document (Secs. 118.052 and 118.059,

25 Local Government Code):

26 (i) original document and one copy (Sec.

27 118.052, Local Government Code) . . . \$4; and

(ii) each additional set of an original and one copy (Sec. 118.052, Local Government Code) . . . \$4;

(B) certified papers (Secs. 118.052 and 118.060, Local Government Code):

(i) for the clerk's certificate (Sec. 118.052, Local Government Code) . . . \$5; and

(ii) a fee per page or part of a page (Sec. 118.052, Local Government Code) . . . \$1;

(C) noncertified papers, for each page or part of a page (Secs. 118.052 and 118.0605, Local Government Code) . . . \$1;

(D) letters testamentary, letter of guardianship, letter of administration, or abstract of judgment (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

(E) safekeeping of wills (Secs. 118.052 and 118.062, Local Government Code) . . . \$5;

(F) mail service of process (Secs. 118.052 and 118.063, Local Government Code) . . . same as sheriff; and

(G) records management and preservation fee (Secs. 118.052 and 118.0645, Local Government Code) . . . \$5;

(10) fee for deposit of a will with the county clerk during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

(11) court costs for each special commissioner in an eminent domain proceeding (Sec. 21.047, Property Code) . . . as taxed by the court, \$10 or more;

(12) jury fee for civil case (Sec. 51.604, Government Code) . . . \$22; ~~and~~

S.B. No. 291

(13) court cost in civil cases other than suits for delinquent taxes to fund the county law library fund, if authorized by the county commissioners court (Sec. 323.023, Local Government Code) . . . not to exceed \$35;

(14) the expense of preserving the record as a court cost, if imposed on a party by the referring court or associate judge (Sec. 54.612, Government Code) . . . actual cost;

(15) security deposit on filing, by any person other than the personal representative of an estate, an application, complaint, or opposition in relation to the estate, if required by the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the proceeding;

(16) security deposit on filing, by any person other than the guardian, attorney ad litem, or guardian ad litem, an application, complaint, or opposition in relation to a guardianship matter, if required by the clerk (Sec. 622, Texas Probate Code) . . . probable cost of the guardianship proceeding;

(17) for a hearing or proceeding under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as costs (Secs. 571.017 and 571.018, Health and Safety Code) . . . reasonable compensation to the following persons appointed under the Texas Mental Health Code:

- (A) attorneys;
- (B) physicians;
- (C) language interpreters;
- (D) sign interpreters; and
- (E) masters;

1           (18) for a hearing or proceeding under the Texas  
2 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
3 costs (Sec. 571.018, Health and Safety Code):

4                   (A) attorney's fees;

5                   (B) physician examination fees;

6                   (C) expense of transportation to a mental health  
7 facility or to a federal agency not to exceed \$50 if transporting  
8 within the same county and not to exceed the reasonable cost of  
9 transportation if transporting between counties;

10                   (D) costs and salary supplements authorized  
11 under Section 574.031, Health and Safety Code; and

12                   (E) prosecutors' fees authorized under Section  
13 574.031, Health and Safety Code;

14           (19) expenses of transporting certain patients from  
15 the county of treatment to a hearing in the county in which the  
16 proceedings originated (Sec. 574.008, Health and Safety  
17 Code) . . . actual expenses unless certain arrangements are made  
18 to hold the hearing in the county in which the patient is receiving  
19 services;

20           (20) expenses for expert witness testimony for an  
21 indigent patient (Sec. 574.010, Health and Safety Code) . . . if  
22 authorized by the court as reimbursement to the attorney ad litem,  
23 court-approved expenses;

24           (21) fee for judge's services for holding a hearing on  
25 an application for court-ordered mental health services (Sec.  
26 574.031, Health and Safety Code) . . . as assessed by the judge,  
27 not to exceed \$50;

1           (22) expenses to reimburse judge for holding a hearing  
2 in a hospital or location other than the county courthouse (Sec.  
3 574.031, Health and Safety Code) . . . reasonable and necessary  
4 expenses as certified;

5           (23) fee for services of a prosecuting attorney,  
6 including costs incurred for preparation of documents related to a  
7 hearing on an application for court-ordered mental health services  
8 (Sec. 574.031, Health and Safety Code) . . . as assessed by the  
9 judge, not to exceed \$50; and

10           (24) a fee not otherwise listed in this section that is  
11 required to be collected under Section 25.0029, Government Code  
12 (Sec. 25.0029, Government Code) . . . as prescribed by law  
13 relating to county judges' fees.

14           SECTION 4. Section 101.121, Government Code, is amended to  
15 read as follows:

16           Sec. 101.121. COUNTY COURT FEES AND COSTS. The clerk of a  
17 county court shall collect:

18           (1) fee for hearing on application for a license to  
19 manufacture, distribute, store, or sell beer (Sec. 61.31, Alcoholic  
20 Beverage Code) . . . \$5;

21           (2) court cost in certain civil cases to establish and  
22 maintain an alternative dispute resolution system, if authorized by  
23 the county commissioners court (Sec. 152.004, Civil Practice and  
24 Remedies Code) . . . not to exceed \$10;

25           (3) appellate judicial system filing fees:

26                   (A) First or Fourteenth Court of Appeals District  
27 (Sec. 22.2021, Government Code) . . . not more than \$5;

(B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . not more than \$5;

(C) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;

(D) Fifth Court of Appeals District (Sec. 22.2061, Government Code) . . . not more than \$5; and

(E) Thirteenth Court of Appeals District (Sec. 22.2141, Government Code) . . . not more than \$5;

(4) a jury fee (Sec. 51.604, Government Code) . . . \$22;

(5) a filing fee in each civil case filed to be used for court-related purposes for the support of the judiciary (Sec. 51.703, Government Code) . . . \$40;

(6) for filing an application for registration of death (Sec. 193.007, Health and Safety Code) . . . \$1;

(7) fee for judge's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;

(8) fee for prosecutor's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;

(9) additional filing fee to fund contingency fund for liability insurance, if authorized by the county commissioners court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

(10) civil court actions (Sec. 118.052, Local Government Code):

(A) filing of original action (Secs. 118.052 and

1 118.053, Local Government Code):  
2 (i) garnishment after judgment (Sec.  
3 118.052, Local Government Code) . . . \$15; and  
4 (ii) all others (Sec. 118.052, Local  
5 Government Code) . . . \$40;  
6 (B) filing of action other than original (Secs.  
7 118.052 and 118.054, Local Government Code) . . . \$30; and  
8 (C) services rendered after judgment in original  
9 action (Secs. 118.052 and 118.0545, Local Government Code):  
10 (i) abstract of judgment (Sec. 118.052,  
11 Local Government Code) . . . \$5; and  
12 (ii) execution, order of sale, writ, or  
13 other process (Sec. 118.052, Local Government Code) . . . \$5;  
14 (11) probate court actions (Sec. 118.052, Local  
15 Government Code):  
16 (A) probate original action (Secs. 118.052 and  
17 118.055, Local Government Code):  
18 (i) probate of a will with independent  
19 executor, administration with will attached, administration of an  
20 estate, guardianship or receivership of an estate, or muniment of  
21 title (Sec. 118.052, Local Government Code) . . . \$40;  
22 (ii) community survivors (Sec. 118.052,  
23 Local Government Code) . . . \$40;  
24 (iii) small estates (Sec. 118.052, Local  
25 Government Code) . . . \$40;  
26 (iv) declarations of heirship (Sec.  
27 118.052, Local Government Code) . . . \$40;

(v) mental health or chemical dependency services (Sec. 118.052, Local Government Code) . . . \$40; and

(vi) additional, special fee (Secs. 118.052 and 118.064, Local Government Code) . . . \$5;

(B) services in pending probate action (Secs. 118.052 and 118.056, Local Government Code):

(i) filing an inventory and appraisement after the 120th day after the date of the initial filing of the action (Sec. 118.052, Local Government Code) . . . \$25;

(ii) approving and recording bond (Sec. 118.052, Local Government Code) . . . \$3;

(iii) administering oath (Sec. 118.052, Local Government Code) . . . \$2;

(iv) filing annual or final account of estate (Sec. 118.052, Local Government Code) . . . \$25;

(v) filing application for sale of real or personal property (Sec. 118.052, Local Government Code) . . . \$25; and

(vi) filing annual or final report of guardian of a person (Sec. 118.052, Local Government Code) . . . \$10;

(C) adverse probate action (Secs. 118.052 and 118.057, Local Government Code) . . . \$40; and

(D) claim against estate (Secs. 118.052 and 118.058, Local Government Code) . . . \$2;

(12) other fees (Sec. 118.052, Local Government Code):

(A) issuing document (Secs. 118.052 and 118.059,



Local Government Code):

(i) original document and one copy (Sec. 118.052, Local Government Code) . . . \$4; and

(ii) each additional set of an original and one copy (Sec. 118.052, Local Government Code) . . . \$4;

(B) certified papers (Secs. 118.052 and 118.060, Local Government Code):

(i) for the clerk's certificate (Sec. 118.052, Local Government Code) . . . \$5; and

(ii) a fee per page or part of a page (Sec. 118.052, Local Government Code) . . . \$1;

(C) noncertified papers, for each page or part of a page (Secs. 118.052 and 118.0605, Local Government Code) . . . \$1;

(D) letters testamentary, letter of guardianship, letter of administration, or abstract of judgment (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

(E) safekeeping of wills (Secs. 118.052 and 118.062, Local Government Code) . . . \$5;

(F) mail service of process (Secs. 118.052 and 118.063, Local Government Code) . . . same as sheriff; and

(G) records management and preservation fee (Secs. 118.052, 118.0546, and 118.0645, Local Government Code) . . . \$5;

(13) deposit on filing petition requesting permission to create a municipal civic center authority (Sec. 281.013, Local Government Code) . . . \$200;

1           (14) additional filing fee to fund the courthouse  
2 security fund, if authorized by the county commissioners court  
3 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

4           (15) additional filing fee for filing documents not  
5 subject to certain filing fees to fund the courthouse security  
6 fund, if authorized by the county commissioners court (Sec.  
7 291.008, Local Government Code) . . . \$1;

8           (16) additional filing fee to fund the courthouse  
9 security fund in Webb County, if authorized by the county  
10 commissioners court (Sec. 291.009, Local Government  
11 Code) . . . not to exceed \$20;

12           (17) court cost in civil cases other than suits for  
13 delinquent taxes to fund the county law library fund, if authorized  
14 by the county commissioners court (Sec. 323.023, Local Government  
15 Code) . . . not to exceed \$35;

16           (18) fee for deposit of a will with the county clerk  
17 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

18           (19) fee for county attorney in a suit regarding a  
19 railroad company's failure to keep roadbed and right-of-way in  
20 proper condition (Art. 6327, Vernon's Texas Civil  
21 Statutes) . . . \$10;

22           (20) appeal bond from a petitioner or taxpayer in a  
23 water control and preservation district (Art. 7818, Vernon's Texas  
24 Civil Statutes) . . . \$100; [and]

25           (21) additional filing fee for filing any civil action  
26 or proceeding requiring a filing fee, including an appeal, and on  
27 the filing of any counterclaim, cross-action, intervention,

1 interpleader, or third-party action requiring a filing fee, to fund  
2 civil legal services for the indigent (Sec. 133.153, Local  
3 Government Code) . . . \$5;

4 (22) court fees and costs, if ordered by the court, for  
5 a suit filed by an inmate in which an affidavit or unsworn  
6 declaration of inability to pay costs is filed by the inmate (Sec.  
7 14.006, Civil Practice and Remedies Code) . . . the lesser of:

8 (A) 20 percent of the preceding six months'  
9 deposits to the inmate's trust account administered by the Texas  
10 Department of Criminal Justice under Section 501.014, Government  
11 Code; or

12 (B) the total amount of court fees and costs;

13 (23) monthly payment for remaining court fees and  
14 costs after the initial payment for a suit in which an affidavit or  
15 unsworn declaration of inability to pay costs is filed by the inmate  
16 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser  
17 of:

18 (A) 10 percent of that month's deposit to the  
19 inmate's trust account administered by the Texas Department of  
20 Criminal Justice under Section 501.014, Government Code; or

21 (B) the total amount of court fees and costs that  
22 remain unpaid;

23 (24) the following costs not otherwise charged to the  
24 inmate under Section 14.006, Civil Practice and Remedies Code, if  
25 the inmate has previously filed an action dismissed as malicious or  
26 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

27 (A) expenses of service of process;

1                   (B) postage; and

2                   (C) transportation, housing, or medical care  
3 incurred in connection with the appearance of the inmate in the  
4 court for any proceeding;

5                   (25) security deposit on filing, by any person other  
6 than the personal representative of an estate, an application,  
7 complaint, or opposition in relation to the estate, if required by  
8 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the  
9 proceeding;

10                   (26) security deposit on filing, by any person other  
11 than the guardian, attorney ad litem, or guardian ad litem, an  
12 application, complaint, or opposition in relation to a guardianship  
13 matter, if required by the clerk (Sec. 622, Texas Probate  
14 Code) . . . probable cost of the guardianship proceeding;

15                   (27) for a hearing or proceeding under the Texas  
16 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
17 costs (Secs. 571.017 and 571.018, Health and Safety  
18 Code) . . . reasonable compensation to the following persons  
19 appointed under the Texas Mental Health Code:

20                   (A) attorneys;

21                   (B) physicians;

22                   (C) language interpreters;

23                   (D) sign interpreters; and

24                   (E) masters;

25                   (28) for a hearing or proceeding under the Texas  
26 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
27 costs (Sec. 571.018, Health and Safety Code):

1                   (A) attorney's fees;

2                   (B) physician examination fees;

3                   (C) expense of transportation to a mental health  
4 facility or to a federal agency not to exceed \$50 if transporting  
5 within the same county and not to exceed the reasonable cost of  
6 transportation if transporting between counties;

7                   (D) costs and salary supplements authorized  
8 under Section 574.031, Health and Safety Code; and

9                   (E) prosecutors' fees authorized under Section  
10 574.031, Health and Safety Code;

11                   (29) expenses of transporting certain patients from  
12 the county of treatment to a hearing in the county in which the  
13 proceedings originated (Sec. 574.008, Health and Safety  
14 Code) . . . actual expenses unless certain arrangements are made  
15 to hold the hearing in the county in which the patient is receiving  
16 services;

17                   (30) expenses for expert witness testimony for an  
18 indigent patient (Sec. 574.010, Health and Safety Code) . . . if  
19 authorized by the court as reimbursement to the attorney ad litem,  
20 court-approved expenses;

21                   (31) fee for judge's services for holding a hearing on  
22 an application for court-ordered mental health services (Sec.  
23 574.031, Health and Safety Code) . . . as assessed by the judge,  
24 not to exceed \$50;

25                   (32) expenses to reimburse judge for holding a hearing  
26 in a hospital or location other than the county courthouse (Sec.  
27 574.031, Health and Safety Code) . . . reasonable and necessary

1 expenses as certified; and

2 (33) fee for services of a prosecuting attorney,  
3 including costs incurred for preparation of documents related to a  
4 hearing on an application for court-ordered mental health services  
5 (Sec. 574.031, Health and Safety Code) . . . as assessed by the  
6 judge, not to exceed \$50.

7 SECTION 5. Section 101.141, Government Code, is amended to  
8 read as follows:

9 Sec. 101.141. JUSTICE COURT AND SMALL CLAIMS COURT FEES AND  
10 COSTS. (a) A clerk of a justice court shall collect fees and costs  
11 as follows:

12 (1) additional court cost in certain civil cases to  
13 establish and maintain an alternative dispute resolution system, if  
14 authorized by the commissioners court of a county with a population  
15 of at least 2.5 million (Sec. 152.005, Civil Practice and Remedies  
16 Code) . . . not to exceed \$3;

17 (2) additional filing fees:

18 (A) to fund Dallas County civil court facilities  
19 (Sec. 51.705, Government Code) . . . not more than \$15; and

20 (B) for filing any civil action or proceeding  
21 requiring a filing fee, including an appeal, and on the filing of  
22 any counterclaim, cross-action, intervention, interpleader, or  
23 third-party action requiring a filing fee, to fund civil legal  
24 services for the indigent (Sec. 133.153, Local Government  
25 Code) . . . \$2;

26 (3) for filing a suit in Comal County (Sec. 152.0522,  
27 Human Resources Code) . . . \$1.50; ~~and~~

(4) fee for hearing on probable cause for removal of a vehicle and placement in a storage facility if assessed by the court (Sec. 685.008, Transportation Code) . . . \$10;

(5) court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 20 percent of the preceding six months' deposits to the inmate's trust account administered by the Texas Department of Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs;

(6) monthly payment for remaining court fees and costs after the initial payment for a suit in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 10 percent of that month's deposit to the inmate's trust account administered by the Texas Department of Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs that remain unpaid;

(7) the following costs not otherwise charged to the inmate under Section 14.006, Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous (Sec. 14.007, Civil Practice and Remedies Code):

(A) expenses of service of process;

(B) postage; and

(C) transportation, housing, or medical care incurred in connection with the appearance of the inmate in the court for any proceeding; and

(8) the cost of a special program that a court may order a child to attend after a finding that the child committed an offense, if ordered by the court (Art. 45.057, Code of Criminal Procedure) . . . costs of the program not to exceed \$100.

(b) A justice of the peace shall collect the following fees:

(1) services rendered before judgment (Secs. 118.121 and 118.122, Local Government Code):

(A) justice court (Sec. 118.121, Local Government Code) . . . \$15; and

(B) small claims court (Sec. 118.121, Local Government Code) . . . \$10; ~~and~~

(2) services rendered after judgment (Secs. 118.121 and 118.123, Local Government Code):

(A) transcript (Sec. 118.121, Local Government Code) . . . \$10;

(B) abstract of judgment (Sec. 118.121, Local Government Code) . . . \$5;

(C) execution, order of sale, writ of restitution, or other writ or process (Sec. 118.121, Local Government Code) . . . \$5 per page;

(D) certified copy of court papers (Secs. 118.121 and 118.1235, Local Government Code) . . . \$2 for first page; \$0.25 for each additional page; and



(E) issuing other document (no return required)  
(Sec. 118.121, Local Government Code) . . . \$1 for first page;  
\$0.25 for each additional page;

(3) court fees and costs, if ordered by the court, for  
a suit filed by an inmate in which an affidavit or unsworn  
declaration of inability to pay costs is filed by the inmate (Sec.  
14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 20 percent of the preceding six months'  
deposits to the inmate's trust account administered by the Texas  
Department of Criminal Justice under Section 501.014, Government  
Code; or

(B) the total amount of court fees and costs;

(4) monthly payment for remaining court fees and costs  
after the initial payment for a suit in which an affidavit or  
unsworn declaration of inability to pay costs is filed by the inmate  
(Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser  
of:

(A) 10 percent of that month's deposit to the  
inmate's trust account administered by the Texas Department of  
Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs that  
remain unpaid; and

(5) the following costs not otherwise charged to the  
inmate under Section 14.006, Civil Practice and Remedies Code, if  
the inmate has previously filed an action dismissed as malicious or  
frivolous (Sec. 14.007, Civil Practice and Remedies Code):

(A) expenses of service of process;

(B) postage; and

(C) transportation, housing, or medical care incurred in connection with the appearance of the inmate in the court for any proceeding.

SECTION 6. Section 101.161, Government Code, is amended to read as follows:

Sec. 101.161. MUNICIPAL COURT FEES AND COSTS. The clerk of a municipal court shall collect:

(1) ~~[may collect]~~ a fee for a hearing on probable cause for removal of a vehicle and placement in a storage facility if assessed by the court (Sec. 685.008, Transportation Code) . . . \$10; and

(2) the cost of a special program that a court may order a child to attend after finding that the child committed an offense, if ordered by the court (Art. 45.057, Code of Criminal Procedure) . . . costs of the program not to exceed \$100.

SECTION 7. Section 101.181, Government Code, is amended to read as follows:

Sec. 101.181. MUNICIPAL COURTS OF RECORD FEES AND COSTS. The clerk of a municipal court of record shall collect the following fees and costs:

(1) from an appellant, a transcript preparation fee (Sec. 30.00014, Government Code) . . . \$25;

(2) from an appellant in the City of El Paso, an appellate court docket fee (Sec. 30.00147, Government Code) . . . \$25; ~~[and]~~

(3) fee for hearing on probable cause for removal of a

vehicle and placement in a storage facility if assessed by the court  
(Sec. 685.008, Transportation Code) . . . \$10;  
and

(4) the cost of a special program that a court may  
order a child to attend after finding that the child committed an  
offense, if ordered by the court (Art. 45.057, Code of Criminal  
Procedure) . . . costs of the program, not to exceed \$100.

SECTION 8. Section 102.021, Government Code, is amended to  
read as follows:

Sec. 102.021. COURT COSTS ON CONVICTION. A person  
convicted of an offense shall pay, in addition to all other costs:

(1) court costs on conviction of a felony (Sec.  
133.102, Local Government Code) . . . \$133;

(2) court costs on conviction of a Class A or Class B  
misdemeanor (Sec. 133.102, Local Government Code) . . . \$83;

(3) court costs on conviction of a nonjailable  
misdemeanor offense, including a criminal violation of a municipal  
ordinance, other than a conviction of an offense relating to a  
pedestrian or the parking of a motor vehicle (Sec. 133.102, Local  
Government Code) . . . \$40;

(4) court costs on certain convictions in statutory  
county courts (Sec. 51.702, Government Code) . . . \$15;

(5) court costs on certain convictions in certain  
county courts (Sec. 51.703, Government Code) . . . \$15;

(6) a time payment fee if convicted of a felony or  
misdemeanor for paying any part of a fine, court costs, or  
restitution on or after the 31st day after the date on which a

1 judgment is entered assessing the fine, court costs, or restitution  
2 (Sec. 133.103, Local Government Code) . . . \$25;

3 (7) a fee for services of prosecutor (Art. 102.008,  
4 Code of Criminal Procedure) . . . \$25;

5 (8) fees for services of peace officer:

6 (A) issuing a written notice to appear in court  
7 for certain violations (Art. 102.011, Code of Criminal  
8 Procedure) . . . \$5;

9 (B) executing or processing an issued arrest  
10 warrant or capias (Art. 102.011, Code of Criminal  
11 Procedure) . . . \$50;

12 (C) summoning a witness (Art. 102.011, Code of  
13 Criminal Procedure) . . . \$5;

14 (D) serving a writ not otherwise listed (Art.  
15 102.011, Code of Criminal Procedure) . . . \$35;

16 (E) taking and approving a bond and, if  
17 necessary, returning the bond to courthouse (Art. 102.011, Code of  
18 Criminal Procedure) . . . \$10;

19 (F) commitment or release (Art. 102.011, Code of  
20 Criminal Procedure) . . . \$5;

21 (G) summoning a jury (Art. 102.011, Code of  
22 Criminal Procedure) . . . \$5;

23 (H) attendance of a prisoner in habeas corpus  
24 case if prisoner has been remanded to custody or held to bail (Art.  
25 102.011, Code of Criminal Procedure) . . . \$8 each day;

26 (I) mileage for certain services performed (Art.  
27 102.011, Code of Criminal Procedure) . . . \$0.29 per mile; and

(J) services of a sheriff or constable who serves process and attends examining trial in certain cases (Art. 102.011, Code of Criminal Procedure) . . . not to exceed \$5;

(9) services of a peace officer in conveying a witness outside the county (Art. 102.011, Code of Criminal Procedure) . . . \$10 per day or part of a day, plus actual necessary travel expenses;

(10) overtime of peace officer for time spent testifying in the trial or traveling to or from testifying in the trial (Art. 102.011, Code of Criminal Procedure) . . . actual cost;

(11) court costs on an offense relating to rules of the road, when offense occurs within a school crossing zone (Art. 102.014, Code of Criminal Procedure) . . . \$25;

(12) court costs on an offense of passing a school bus (Art. 102.014, Code of Criminal Procedure) . . . \$25;

(13) court costs on an offense of truancy or contributing to truancy (Art. 102.014, Code of Criminal Procedure) . . . \$20;

(14) cost for visual recording of intoxication arrest before conviction (Art. 102.018, Code of Criminal Procedure) . . . \$15;

(15) cost of certain evaluations (Art. 102.018, Code of Criminal Procedure) . . . actual cost;

(16) additional costs attendant to certain intoxication convictions under Chapter 49, Penal Code, for emergency medical services, trauma facilities, and trauma care

1 systems (Art. 102.0185, Code of Criminal Procedure) . . . \$100;

2 (17) cost for DNA testing for certain felonies (Art.  
3 102.020, Code of Criminal Procedure) . . . \$250;

4 (18) court cost on an offense of public lewdness or  
5 indecent exposure (Art. 102.020, Code of Criminal  
6 Procedure) . . . \$50;

7 (19) court cost on conviction of a misdemeanor under  
8 Subtitle C, Title 7, Transportation Code (Sec. 542.403,  
9 Transportation Code) . . . \$3;

10 (20) cost for impoundment of vehicle (Sec. 601.263,  
11 Transportation Code) . . . \$15 per day; ~~and~~

12 (21) a civil and criminal enforcement cost on  
13 conviction of an offense of, or related to, the nonpayment of a toll  
14 in certain counties (Sec. 284.2031, Transportation Code) . . . \$1;  
15 and

16 (22) if directed by the justice of the peace or  
17 municipal court judge hearing the case, court costs on conviction  
18 in a criminal action (Art. 45.041, Code of Criminal  
19 Procedure) . . . part or all of the costs as directed by the judge.

20 SECTION 9. Section 103.021, Government Code, is amended to  
21 read as follows:

22 Sec. 103.021. ADDITIONAL FEES AND COSTS IN CRIMINAL OR  
23 CIVIL CASES. An accused or defendant, or a party to a civil suit, as  
24 applicable, shall pay the following fees and costs if ordered by the  
25 court or otherwise required:

26 (1) a personal bond fee (Art. 17.42, Code of Criminal  
27 Procedure) . . . the greater of \$20 or three percent of the amount

1 of the bail fixed for the accused;

2 (2) cost of electronic monitoring as a condition of  
3 release on personal bond (Art. 17.43, Code of Criminal  
4 Procedure) . . . actual cost;

5 (3) a fee for verification of and monitoring of motor  
6 vehicle ignition interlock (Art. 17.441, Code of Criminal  
7 Procedure) . . . not to exceed \$10;

8 (4) repayment of reward paid by a crime stoppers  
9 organization on conviction of a felony (Art. 37.073, Code of  
10 Criminal Procedure) . . . amount ordered;

11 (5) reimbursement to general revenue fund for payments  
12 made to victim of an offense as condition of community supervision  
13 (Art. 42.12, Code of Criminal Procedure) . . . not to exceed \$50  
14 for a misdemeanor offense or \$100 for a felony offense;

15 (6) payment to a crime stoppers organization as  
16 condition of community supervision (Art. 42.12, Code of Criminal  
17 Procedure) . . . not to exceed \$50;

18 (7) children's advocacy center fee (Art. 42.12, Code  
19 of Criminal Procedure) . . . not to exceed \$50;

20 (8) family violence shelter center fee (Art. 42.12,  
21 Code of Criminal Procedure) . . . not to exceed \$100;

22 (9) community supervision fee (Art. 42.12, Code of  
23 Criminal Procedure) . . . not less than \$25 or more than \$60 per  
24 month;

25 (10) additional community supervision fee for certain  
26 offenses (Art. 42.12, Code of Criminal Procedure) . . . \$5 per  
27 month;

1           (11) for certain financially able sex offenders as a  
2 condition of community supervision, the costs of treatment,  
3 specialized supervision, or rehabilitation (Art. 42.12, Code of  
4 Criminal Procedure) . . . all or part of the reasonable and  
5 necessary costs of the treatment, supervision, or rehabilitation as  
6 determined by the judge;

7           (12) fee for failure to appear for trial in a justice  
8 or municipal court if a jury trial is not waived (Art. 45.026, Code  
9 of Criminal Procedure) . . . costs incurred for impaneling the  
10 jury;

11           (13) costs of certain testing, assessments, or  
12 programs during a deferral period (Art. 45.051, Code of Criminal  
13 Procedure) . . . amount ordered;

14           (14) special expense on dismissal of certain  
15 misdemeanor complaints (Art. 45.051, Code of Criminal  
16 Procedure) . . . not to exceed amount of fine assessed;

17           (15) an additional fee:

18               (A) as an administrative fee for requesting a  
19 driving safety course or a course under the motorcycle operator  
20 training and safety program for certain traffic offenses to cover  
21 the cost of administering the article (Art. 45.0511(f)(1), Code of  
22 Criminal Procedure) . . . not to exceed \$10; or

23               (B) for requesting a driving safety course or a  
24 course under the motorcycle operator training and safety program  
25 before the final disposition of the case (Art. 45.0511(f)(2), Code  
26 of Criminal Procedure) . . . not to exceed the maximum amount of  
27 the fine for the offense committed by the defendant;



1           (16) a request fee for teen court program (Art.  
2 45.052, Code of Criminal Procedure) . . . not to exceed \$10;

3           (17) a fee to cover costs of required duties of teen  
4 court (Art. 45.052, Code of Criminal Procedure) . . . \$10;

5           (18) a mileage fee for officer performing certain  
6 services (Art. 102.001, Code of Criminal Procedure) . . . \$0.15  
7 per mile;

8           (19) certified mailing of notice of hearing date (Art.  
9 102.006, Code of Criminal Procedure) . . . \$1, plus postage;

10          (20) certified mailing of certified copies of an order  
11 of expunction (Art. 102.006, Code of Criminal Procedure) . . . \$2,  
12 plus postage;

13          (21) sight orders:

14               (A) if the face amount of the check or sight order  
15 does not exceed \$10 (Art. 102.007, Code of Criminal  
16 Procedure) . . . not to exceed \$10;

17               (B) if the face amount of the check or sight order  
18 is greater than \$10 but does not exceed \$100 (Art. 102.007, Code of  
19 Criminal Procedure) . . . not to exceed \$15;

20               (C) if the face amount of the check or sight order  
21 is greater than \$100 but does not exceed \$300 (Art. 102.007, Code of  
22 Criminal Procedure) . . . not to exceed \$30;

23               (D) if the face amount of the check or sight order  
24 is greater than \$300 but does not exceed \$500 (Art. 102.007, Code of  
25 Criminal Procedure) . . . not to exceed \$50; and

26               (E) if the face amount of the check or sight order  
27 is greater than \$500 (Art. 102.007, Code of Criminal

1 Procedure) . . . not to exceed \$75;

2 (22) a fee for pretrial intervention program (Art.  
3 102.012, Code of Criminal Procedure) . . . not to exceed \$500;

4 (23) parking fee violations for child safety fund in  
5 municipalities with populations:

6 (A) greater than 850,000 (Art. 102.014, Code of  
7 Criminal Procedure) . . . not less than \$2 and not to exceed \$5;  
8 and

9 (B) less than 850,000 (Art. 102.014, Code of  
10 Criminal Procedure) . . . not to exceed \$5;

11 (24) an administrative fee for collection of fines,  
12 fees, restitution, or other costs (Art. 102.072, Code of Criminal  
13 Procedure) . . . not to exceed \$2 for each transaction;

14 (25) a court reporter fee when testimony is taken:

15 (A) in a criminal court in Dallas County (Sec.  
16 25.0593, Government Code) . . . \$3;

17 (B) in a county criminal court of appeals in  
18 Dallas County (Sec. 25.0594, Government Code) . . . \$3;

19 (C) in a county court at law in McLennan County  
20 (Sec. 25.1572, Government Code) . . . \$3; and

21 (D) in a county criminal court in Tarrant County  
22 (Sec. 25.2223, Government Code) . . . \$3;

23 (26) a speedy trial filing fee in El Paso County (Sec.  
24 54.745, Government Code) . . . \$100;

25 (27) costs for use of magistrate in Brazos County  
26 (Sec. 54.1116, Government Code) . . . not to exceed \$50;

27 (28) an administrative fee for participation in

1 certain community supervision programs (Sec. 76.015, Government  
2 Code) . . . not less than \$25 and not more than \$40 per month;

3 (29) in family matters:

4 (A) issuing writ of withholding (Sec. 8.262,  
5 Family Code) . . . \$15;

6 (B) filing copy of writ of withholding to  
7 subsequent employer (Sec. 8.267, Family Code) . . . \$15;

8 (C) issuing and delivering modified writ of  
9 withholding or notice of termination (Sec. 8.302, Family  
10 Code) . . . \$15;

11 (D) issuing and delivering notice of termination  
12 of withholding (Sec. 8.303, Family Code) . . . \$15;

13 (E) issuance of change of name certificate (Sec.  
14 45.106, Family Code) . . . \$10;

15 (F) protective order fee (Sec. 81.003, Family  
16 Code) . . . \$16;

17 (G) filing suit requesting adoption of child  
18 (Sec. 108.006, Family Code) . . . \$15;

19 (H) filing fees for suits affecting parent-child  
20 relationship (Sec. 110.002, Family Code):

21 (i) suit or motion for modification (Sec.  
22 110.002, Family Code) . . . \$15;

23 (ii) motion for enforcement (Sec. 110.002,  
24 Family Code) . . . \$15;

25 (iii) notice of application for judicial  
26 writ of withholding (Sec. 110.002, Family Code) . . . \$15;

27 (iv) motion to transfer (Sec. 110.002,

1 Family Code) . . . \$15;  
2 (v) petition for license suspension (Sec.  
3 110.002, Family Code) . . . \$15;  
4 (vi) motion to revoke a stay of license  
5 suspension (Sec. 110.002, Family Code) . . . \$15; and  
6 (vii) motion for contempt (Sec. 110.002,  
7 Family Code) . . . \$15;  
8 (I) order or writ of income withholding to be  
9 delivered to employer (Sec. 110.004, Family Code) . . . not to  
10 exceed \$15;  
11 (J) filing fee for transferred case (Sec.  
12 110.005, Family Code) . . . \$45;  
13 (K) filing a writ of withholding (Sec. 158.319,  
14 Family Code) . . . \$15;  
15 (L) filing a request for modified writ of  
16 withholding or notice of termination (Sec. 158.403, Family  
17 Code) . . . not to exceed \$15;  
18 (M) filing an administrative writ to employer  
19 (Sec. 158.503, Family Code) . . . not to exceed \$15; and  
20 (N) genetic testing fees in relation to a child  
21 born to a gestational mother (Sec. 160.762, Family Code) . . . as  
22 assessed by the court;  
23 (30) in juvenile court:  
24 (A) fee schedule for deferred prosecution  
25 services (Sec. 53.03, Family Code) . . . maximum fee of \$15 a  
26 month;  
27 (B) a teen court administration fee (Sec. 54.032,

1 Family Code) . . . not to exceed \$10;  
2 (C) court costs for juvenile probation diversion  
3 fund (Sec. 54.0411, Family Code) . . . \$20;  
4 (D) a juvenile delinquency prevention fee (Sec.  
5 54.0461, Family Code) . . . \$5; and  
6 (E) a court fee for child's probationary period  
7 (Sec. 54.061, Family Code) . . . not to exceed \$15 a month;  
8 (31) a court reporter service fee if the courts have  
9 official court reporters (Sec. 51.601, Government Code) . . . \$15;  
10 (32) administrative fee on dismissal of charge of  
11 driving with an expired motor vehicle registration (Sec. 502.407,  
12 Transportation Code) . . . not to exceed \$10;  
13 (33) administrative fee on dismissal of charge of  
14 driving with an expired driver's license (Sec. 521.026,  
15 Transportation Code) . . . not to exceed \$10;  
16 (34) administrative fee on remediation of charge of  
17 driving with an expired inspection certificate (Sec. 548.605,  
18 Transportation Code) . . . not to exceed \$10;  
19 (35) administrative fee for failure to appear for a  
20 complaint or citation on certain offenses (Sec. 706.006,  
21 Transportation Code) . . . \$30 for each violation;  
22 (36) administrative fee for failure to pay or satisfy  
23 certain judgments (Sec. 706.006, Transportation Code) . . . \$30;  
24 (37) fee paid on filing a petition for an order of  
25 nondisclosure of criminal history record information in certain  
26 cases (Sec. 411.081, Government Code) . . . \$28; [and]  
27 (38) on a finding that an animal's owner has cruelly

1 treated the animal, court costs including:

2 (A) investigation (Sec. 821.023, Health and  
3 Safety Code) . . . actual costs;

4 (B) expert witnesses (Sec. 821.023, Health and  
5 Safety Code) . . . actual costs;

6 (C) housing and caring for the animal during its  
7 impoundment (Sec. 821.023, Health and Safety Code) . . . actual  
8 costs;

9 (D) conducting any public sale ordered by the  
10 court (Sec. 821.023, Health and Safety Code) . . . actual costs;  
11 and

12 (E) humanely destroying the animal if  
13 destruction is ordered by the court (Sec. 821.023, Health and  
14 Safety Code) . . . actual costs;

15 (39) the costs of a criminal magistrate if the court  
16 determines that the nonprevailing party is able to defray the  
17 costs:

18 (A) in Bexar County (Sec. 54.913, Government  
19 Code) . . . magistrate's fees;

20 (B) in Dallas County (Sec. 54.313, Government  
21 Code) . . . magistrate's fees;

22 (C) in Lubbock County (Sec. 54.883, Government  
23 Code) . . . magistrate's fees;

24 (D) in Tarrant County (Sec. 54.663, Government  
25 Code) . . . magistrate's fees;

26 (E) in Travis County (Sec. 54.983, Government  
27 Code) . . . magistrate's fees; and

1                    (F) in Williamson County (Sec. 54.958,  
2 Government Code) . . . expense of the magistrate; and  
3                    (40) a collection fee, if authorized by the  
4 commissioners court of a county or the governing body of a  
5 municipality, for certain debts and accounts receivable, including  
6 unpaid fines, fees, court costs, forfeited bonds, and restitution  
7 ordered paid (Art. 103.0031, Code of Criminal Procedure) . . . 30  
8 percent of an amount more than 60 days past due.

9                    SECTION 10. Section 103.022, Government Code, is amended to  
10 read as follows:

11                    Sec. 103.022. MISCELLANEOUS FEES AND COSTS. The following  
12 fees and costs shall be paid or collected as follows:

13                    (1) fee for use of an interpreter in civil cases (Sec.  
14 21.051, Civil Practice and Remedies Code) . . . \$3;

15                    (2) fee for custodian of a record compelled by a court  
16 to produce or certify the record (Sec. 22.004, Civil Practice and  
17 Remedies Code) . . . \$1;

18                    (3) cost for use of certified copy of the record of  
19 names of all trustees appointed by any state organization of a  
20 religious congregation in this state (Sec. 126.012, Civil Practice  
21 and Remedies Code) . . . \$1.50;

22                    (4) filing of a restitution lien (Art. 42.22, Code of  
23 Criminal Procedure) . . . \$5;

24                    (5) issuance and service of a warrant of arrest for  
25 certain offenses if prescribed by the municipality (Art. 45.203,  
26 Code of Criminal Procedure) . . . not to exceed \$25;

27                    (6) filing a certified copy of a judicial finding of

fact and conclusion of law if charged by the secretary of state  
(Sec. 51.905, Government Code) . . . \$15;

(7) costs of determining and sending information  
concerning the identity of the court with continuing, exclusive  
jurisdiction if charged by the bureau of vital statistics (Sec.  
108.006, Family Code) . . . reasonable fee;

(8) initial operations fee paid to domestic relations  
office on filing of a suit affecting the parent-child relationship,  
if authorized by the administering entity (Sec. 203.005, Family  
Code) . . . not to exceed \$15;

(9) initial child support service fee paid to domestic  
relations office in certain counties on filing of a suit affecting  
the parent-child relationship, if authorized by the administering  
entity (Sec. 203.005, Family Code) . . . not to exceed \$36;

(10) service fee for services of a domestic relations  
office, if authorized by the administering entity (Sec. 203.005,  
Family Code) . . . not to exceed \$3 per month;

(11) fee from a Title IV-D agency for each item of  
process to each individual on whom service is required, including  
service by certified or registered mail (Sec. 231.202, Family  
Code) . . . the amount that a sheriff or constable may charge for  
serving process under Section 118.131, Local Government Code;

(12) a copy of records of spousal or child support and  
fees administered in Dallas County if authorized by the local  
administrative judge (Sec. 152.0634, Human Resources  
Code) . . . not to exceed \$2 per page;

(13) collecting, disbursing, or monitoring spousal or



1 child support payments in Dallas County (Sec. 152.0635, Human  
2 Resources Code) . . . not to exceed \$3 per month;

3 (14) fee for adoption, family, and home study  
4 investigations in an adoption in Dallas County (Sec. 152.0635,  
5 Human Resources Code) . . . not to exceed \$250;

6 (15) certain transactions with respect to a suit for  
7 spousal support or a suit affecting the parent-child relationship  
8 in Harris County, if authorized by the county commissioners court  
9 (Sec. 152.1074, Human Resources Code) . . . not to exceed \$2 per  
10 transaction;

11 (16) child support service fee in Smith [~~Nueces~~  
12 County~~[-]~~] if [~~authorized by the county commissioners~~] court allows  
13 assessment by child support office (Sec. 152.2183 [~~152.1844~~], Human  
14 Resources Code) . . . not to exceed \$2.50 a [~~\$5 per~~] month;

15 (17) services by the offices of the sheriff and  
16 constables (Sec. 118.131, Local Government Code) . . . amount set  
17 by county commissioners court;

18 (18) cost paid by each surety posting the bail bond for  
19 an offense other than a misdemeanor punishable by fine only under  
20 Chapter 17, Code of Criminal Procedure, for the felony prosecutor  
21 supplement fund and the fair defense account (Sec. 41.258,  
22 Government Code) . . . \$15, provided the cost does not exceed \$30  
23 for all bail bonds posted at that time for an individual and the  
24 cost is not required on the posting of a personal or cash bond;

25 (19) appraiser's fee as court costs for determining  
26 the fair value of ownership interests of owners who have perfected  
27 their rights (Sec. 10.365, Business Organizations Code) . . . a

1 reasonable fee;

2 (19-a) an appraiser's fee as court costs for  
3 determining the fair value of the shares of the shareholders  
4 entitled to payment for their shares in a real estate investment  
5 trust (Sec. 25.20, Art. 6138A, Vernon's Texas Civil  
6 Statutes) . . . a reasonable fee;

7 (19-b) an appraiser's fee as court costs for  
8 determining the fair value of the shares of the shareholders  
9 entitled to payment for their shares by the existing, surviving, or  
10 new corporation (Art. 5.12, Texas Business Corporation  
11 Act) . . . a reasonable fee; [and]

12 (20) to participate in a court proceeding in this  
13 state, a nonresident attorney fee for civil legal services to the  
14 indigent (Sec. 82.0361, Government Code) . . . \$250 except as  
15 waived or reduced under supreme court rules for representing an  
16 indigent person;

17 (21) a witness's fee for one day to be paid by the party  
18 who subpoenas the witness (Sec. 22.001, Civil Practice and Remedies  
19 Code) . . . \$10;

20 (22) on a party's appeal of a final decision in a  
21 contested case, the cost of preparing the original or a certified  
22 copy of the record of the agency proceeding, if required by the  
23 agency's rule, as a court cost (Sec. 2001.177, Government  
24 Code) . . . as assessed by the court, all or part of the cost of  
25 preparation;

26 (23) the costs of arbitration in cases between a  
27 juvenile board and a school district that fail to agree on a

1 memorandum of understanding related to the juvenile justice  
2 alternative education program (Sec. 37.011, Education  
3 Code) . . . each party its pro rata share of the costs;

4 (24) compensation to a referee in juvenile court in  
5 Wichita County taxed as costs if the judge determines the parties  
6 are able to pay the costs (Sec. 54.403, Government Code) . . . as  
7 determined by the judge;

8 (25) the expense of preserving the record as a court  
9 cost in Brazos County if imposed on a party by the referring court  
10 or magistrate (Sec. 54.1111, Government Code) . . . actual cost;

11 (26) a filing fee or recording fee for each page of a  
12 legal paper presented for filing or recording that fails to meet  
13 certain requirements regarding paper size, weight, substance,  
14 headings, legibility, the presence of typed or printed names under  
15 each signature, and number and size of riders or attachments (Sec.  
16 191.007, Local Government Code) . . . twice the regular filing fee  
17 or recording fee provided by statute for that page, rider, or  
18 attachment;

19 (27) a processing fee as authorized by the  
20 commissioners court for the payment by credit card of a fee, court  
21 cost, or other charge processed by a county or precinct officer  
22 (Secs. 132.002 and 132.003, Local Government Code) . . . an amount  
23 reasonably related to the expense incurred by the county or  
24 precinct officer but not to exceed five percent of the amount of the  
25 fee, court cost, or other charge being paid;

26 (28) a processing fee as authorized by the governing  
27 body of the municipality for the payment by credit card of a fee,

1 court cost, or other charge processed by a municipal official  
2 (Secs. 132.002 and 132.003, Local Government Code) . . . an amount  
3 reasonably related to the expense incurred by the municipal  
4 official but not to exceed five percent of the amount of the fee,  
5 court cost, or other charge being paid;

6 (29) a handling fee, if authorized by the  
7 commissioners court under Section 132.002, Local Government Code,  
8 for electronically processing the payment of a fee, fine, court  
9 cost, or other charge (Secs. 132.002 and 132.003, Local Government  
10 Code):

11 (A) charged at a flat rate that does not exceed \$5  
12 for each payment transaction; or

13 (B) charged at a rate reasonably related to the  
14 expense incurred in processing a payment and that does not exceed  
15 five percent of the amount of the fee, court cost, or other charge  
16 being paid;

17 (30) a fee, if authorized by the commissioners court,  
18 collected by a county or precinct officer on behalf of the county  
19 from a person making payment by credit card of a fee, court cost, or  
20 other charge (Sec. 132.003, Local Government Code) . . . an amount  
21 equal to the amount of any transaction fee charged to the county by  
22 a vendor providing services in connection with payments made by  
23 credit card;

24 (31) a fee for sale of securities under an offering  
25 that has not been registered, if the transaction or securities are  
26 not exempt (Art. 581-35-2, Vernon's Texas Civil Statutes) . . . as  
27 set by the securities commissioner or court, but not to exceed six

times the amount that would have been paid if the issuer had filed an application to register the securities and paid the fee prescribed based on the amount of sales made in this state within the prior three years, plus interest on that amount from the date of the first sale made in this state until the date the fee is paid; and  
(32) a fee for mailing an order vacating or staying an order suspending a license to the appropriate licensing authority (Sec. 232.013, Family Code) . . . \$5 for each order mailed.

SECTION 11. Chapter 104, Government Code, is repealed.

SECTION 12. (a) Sections 1 through 10 of this Act amend provisions in Chapters 101, 102, and 103, Government Code, as amended by the Final Report Regarding Actions to Conform the Statutory Index of Court Fees and Costs to the Acts of the 78th Legislature. The report was effective September 3, 2004, and was prepared and published in accordance with Chapter 104, Government Code, as it existed before the effective date of this Act. The report is available at the Texas Legislative Council's Internet website under the heading "Reports/Documents" at <http://www.tlc.state.tx.us/tlc.htm>. At that website the report is identified as the "Final Report" under "Court Fees Project."

(b) The legislature finds that the index of court fees and costs provided by Chapters 101, 102, and 103, Government Code, is complete with the passage of this Act and the publication of the report. The legislature also finds that additional reports under Chapter 104, Government Code, to update the index in the future are no longer necessary because the updating will occur under the Texas Legislative Council's permanent statutory revision program. The

1 council is required, as part of that program, under Subdivision  
2 (4), Subsection (c), Section 323.007, Government Code, to formulate  
3 and implement a continuous revision program of all Texas statutes,  
4 which include the index of court fees and costs.

5 SECTION 13. If any provision of this Act conflicts with a  
6 statute enacted by the 79th Legislature, Regular Session, 2005, the  
7 statute controls.

8 SECTION 14. This Act takes effect September 1, 2005.

COMMITTEE REPORT

The Honorable Tom Craddick  
Speaker of the House of Representatives

5-17-05  
(date)

Sir:

We, your COMMITTEE ON JUDICIARY

to whom was referred SB 291 have had the same under consideration and beg to report back with the recommendation that it

- ☒ do pass, without amendment.  
☐ do pass, with amendment(s).  
☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.  
☒ yes ☐ no A fiscal note was requested.  
☐ yes ☒ no A criminal justice policy impact statement was requested.  
☐ yes ☒ no An equalized educational funding impact statement was requested.  
☐ yes ☒ no An actuarial analysis was requested.  
☐ yes ☒ no A water development policy impact statement was requested.  
☐ yes ☒ no A tax equity note was requested.

☒ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor Alonzo

Joint Sponsors: Hartnett , ,

Co-Sponsors: \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Hartnett, Chair	<input checked="" type="checkbox"/>			
Hughes, Vice-chair				<input checked="" type="checkbox"/>
Alonzo	<input checked="" type="checkbox"/>			
Gonzales	<input checked="" type="checkbox"/>			
Hopson	<input checked="" type="checkbox"/>			
Keel				<input checked="" type="checkbox"/>
Solis	<input checked="" type="checkbox"/>			
Straus	<input checked="" type="checkbox"/>			
Van Arsdale	<input checked="" type="checkbox"/>			

Total

7 aye  
0 nay  
0 present, not voting  
2 absent

Will Hartnett  
CHAIR

## **BILL ANALYSIS**

S.B. 291  
By: West, Royce  
Judiciary  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Until the 78th Legislature, Regular Session, 2003, Texas court costs, fees, and penalties were scattered throughout Texas statutes, making it difficult to assess fees, especially when several costs were to be levied simultaneously. For ease of reference, S.B. 1180, 78th Legislature, Regular Session, added an index of these court costs, fees, and penalties to the Government Code.

As proposed, S.B. 291 updates the index to include fees that were overlooked in S.B. 1180. This bill provides for a complete and comprehensive list of the fees and costs currently in Texas statutes.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Section 101.061, Government Code, to include the following fees and costs that the clerk of a district court is required to collect:

- (22-a)-(22-c) Certain child and spousal support service fees in certain counties, provided those fees are authorized by the appropriate entities; and attorney's fees of \$15 as an additional cost in Montague County on a finding of contempt of court for failure to pay child or spousal support if the contempt action is initiated by the probation department.
- (36)-(38) A certain amount of court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate; monthly payments of a certain amount for remaining court fees and costs after the initial payment for that suit; and certain costs not otherwise charged to the inmate under Section 14.006 (Court Fees, Court Costs, Other Costs), Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous.
- (39) Fees for performing certain services.
- (40) Certain court costs which may include certain expert witness fees.
- (41)-(42) A security deposit on filing, by certain persons, certain documents in relation to the estate, if required by the clerk; and a security deposit on filing by certain persons, certain documents in relation to a guardianship matter, if required by the clerk.
- (43) A fee of \$5 for filing an additional petition for review of an appraisal review board order relating to certain regulated property running through or operating in more than one county after the first petition for review relating to the same property is filed for a tax year.

Makes nonsubstantive changes.

SECTION 2. Amends Section 101.081, Government Code, to include the following fees and costs that the clerk of a statutory county court is required to collect:



- (23)-(25) A certain amount of court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate; monthly payments of a certain amount for remaining court fees and costs after the initial payment for that suit; and certain costs not otherwise charged to the inmate under Section 14.006 (Court Fees, Court Costs, Other Costs), Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous.
- (26)-(27) The official court reporter's fee taxed as costs in civil actions in certain statutory county courts in certain counties; and a stenographer's fee of \$25 as costs in each civil, criminal, and probate case in which a record is made by the official court reporter in a statutory county court in Nolan County.
- (28)-(29) Certain fees, in Brazoria County and in Nueces County with certain exceptions, in matters of concurrent jurisdiction with the district court.
- (30)-(31) A security deposit on filing, by certain persons, certain documents in relation to the estate, if required by the clerk; and a security deposit on filing by certain persons, certain documents in relation to a guardianship matter, if required by the clerk.
- (32)-(38) Reasonable compensation to certain persons appointed under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) and certain other fees and costs for a hearing or proceeding under the Texas Mental Health Code; expenses of transporting certain patients from the county of treatment to a hearing in the county in which the proceedings originated; court-approved expenses for expert witness testimony for an indigent patient if authorized by the court as reimbursement to the attorney ad litem; a fee for a judge's services for holding a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50; additional reasonable and necessary expenses, as certified, to reimburse the judge for holding a hearing in a hospital or location other than the county courthouse; and a fee for the services of a prosecuting attorney, including costs incurred for preparation of documents related to a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50.
- (39) A fee not otherwise listed in this section that is required to be collected under Section 25.0008 (regarding fees for statutory county courts), Government Code, except in certain counties, as prescribed by the law relating to county judges' fees.

Makes nonsubstantive changes.

SECTION 3. Amends Section 101.101, Government Code, to include the following fees and costs that the clerk of a statutory probate court is required to collect:

- (14) The actual cost of preserving the record as a court cost, if imposed on a party by the referring court or associate judge.
- (15)-(16) A security deposit on filing, by certain persons, certain documents in relation to the estate, if required by the clerk; and a security deposit on filing by certain persons, certain documents in relation to a guardianship matter, if required by the clerk.
- (17)-(23) Reasonable compensation to certain persons appointed under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) and certain other fees and costs for a hearing or proceeding under the Texas Mental Health Code; expenses of transporting certain patients from the county of treatment to a hearing in the county in which the proceedings originated; court-approved expenses for expert witness testimony for an indigent patient if authorized by the court as reimbursement to the attorney ad litem; a fee for a judge's services for holding a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50; additional reasonable and necessary expenses, as certified, to reimburse the judge for holding a hearing in a hospital or location other than the county courthouse; and a fee for the

services of a prosecuting attorney, including costs incurred for preparation of documents related to a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50.

- (24) A fee not otherwise listed in this section that is required to be collected under Section 25.0029 (regarding fees for statutory probate courts), Government Code, as prescribed by the law relating to county judges' fees.

Makes nonsubstantive changes.

SECTION 4. Amends Section 101.121, Government Code, to include the following fees and costs that the clerk of a county court is required to collect:

- (22)-(24) A certain amount of court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate; monthly payments of a certain amount for remaining court fees and costs after the initial payment for that suit; and certain costs not otherwise charged to the inmate under Section 14.006 (Court Fees, Court Costs, Other Costs), Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous.
- (25)-(26) A security deposit on filing, by certain persons, certain documents in relation to the estate, if required by the clerk; and a security deposit on filing by certain persons, certain documents in relation to a guardianship matter, if required by the clerk.
- (27)-(33) Reasonable compensation to certain persons appointed under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) and certain other fees and costs for a hearing or proceeding under the Texas Mental Health Code; expenses of transporting certain patients from the county of treatment to a hearing in the county in which the proceedings originated; court-approved expenses for expert witness testimony for an indigent patient if authorized by the court as reimbursement to the attorney ad litem; a fee for a judge's services for holding a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50; additional reasonable and necessary expenses, as certified, to reimburse the judge for holding a hearing in a hospital or location other than the county courthouse; and a fee for the services of a prosecuting attorney, including costs incurred for preparation of documents related to a hearing on an application for court-ordered mental health services, as assessed by the judge and not to exceed \$50.

Makes nonsubstantive changes.

SECTION 5. Amends Section 101.141, Government Code, as follows:

Sec. 101.141. JUSTICE COURT AND SMALL CLAIMS COURT FEES AND COSTS. (a)  
Includes the following fees and costs that the clerk of a justice court is required to collect:

(5)-(7) A certain amount of court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate; monthly payments of a certain amount for remaining court fees and costs after the initial payment for that suit; and certain costs not otherwise charged to the inmate under Section 14.006 (Court Fees, Court Costs, Other Costs), Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous.

(8) The cost, not to exceed \$100, of a special program that a court may order a child to attend after a finding that the child committed an offense, if ordered by the court.

Makes nonsubstantive changes.

(b) Includes the following fees and costs that the justice of the peace is required to collect:

(3)-(5) A certain amount of court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate; monthly payments of a certain amount for remaining court fees and costs after the initial payment for that suit; and certain costs not otherwise charged to the inmate under Section 14.006 (Court Fees, Court Costs, Other Costs), Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous.

Makes nonsubstantive changes.

SECTION 6. Amends Section 101.161, Government Code, to require, rather than authorize, the clerk of a municipal court to collect a \$10 fee for a hearing on probable cause for removal of a vehicle and placement in a storage facility if assessed by the court. Requires the clerk to collect the cost, not to exceed \$100, of a special program that a court may order a child to attend after a finding that the child committed an offense, if ordered by the court. Makes nonsubstantive changes.

SECTION 7. Amends Section 101.181, Government Code, to require the clerk of a municipal court of record to collect the cost, not to exceed \$100, of a special program that a court may order a child to attend after a finding that the child committed an offense, if ordered by the court. Makes nonsubstantive changes.

SECTION 8. Amends Section 102.021, Government Code, to require a person convicted of an offense to pay part or all of the court costs on conviction in a criminal action, if directed by the justice of the peace or municipal court judge hearing the case. Makes nonsubstantive changes.

SECTION 9. Amends Section 103.021, Government Code, to require an accused or a defendant, or a party to a civil suit, as applicable, if ordered by the court or otherwise required, to pay the costs of a criminal magistrate if the court determines that the nonprevailing party is able to defray the costs, in certain amounts in certain counties. Requires the person to pay a collection fee, if authorized by the commissioners court of a county or the governing body of a municipality, for certain debts and accounts receivable and sets forth the amount. Makes nonsubstantive changes.

SECTION 10. Amends Section 103.022, Government Code, to include the following fees and costs in those required to be paid or collected:

(16) A child support service fee in Smith County, not to exceed \$2.50 a month, if court allows assessment by the child support office. Deletes the requirement to collect a child support service fee in Nueces County, not to exceed \$5 per month, if authorized by the county commissioners court.

(19-a)-(19-b) A reasonable appraiser's fee as court costs for determining fair value of the shares of the shareholders entitled to payment for their shares in a real estate investment trust, and a reasonable appraiser's fee for determining the fair value of the shares of the shareholders entitled to payment for their shares by the existing, surviving, or new corporation.

(21) A \$10 witness's fee for one day to be paid by the party who subpoenas the witness.

(22) The cost of preparing the original or a certified copy of the record of the agency proceeding, if required by the agency's rule, on a party's appeal of a final decision in a contested case.

(23) The pro rata costs to each party of arbitration in cases between a juvenile board and a school district that fail to agree on a memorandum of understanding related to the juvenile justice alternative education program.

(24) Compensation to a referee in juvenile court in Wichita County taxed as costs if the judge determines the parties are able to pay the costs.

- (25) The actual cost of preserving the record as a court cost in Brazos county if imposed on a party by the referring court or magistrate.
- (26) A filing fee or recording fee of twice the regular fee for each page of a legal paper presented for filing or recording that fails to meet certain requirements.
- (27)-(30) A certain processing fee, as authorized by the commissioners court, for the payment by a credit card of a fee or other cost processed by a county or precinct officer; a certain processing fee, as authorized by the governing body of the municipality, for the payment by a credit card of a fee or other cost processed by a municipal official; a certain handling fee, if authorized by the commissioners court under Section 132.002 (Payment of Fees or Costs by Credit Card or Electronic Means), Local Government Code, for electronically processing the payment of a fee or other cost; and a fee, if authorized by the commissioners court, collected by a county or precinct officer on behalf of the county from a person making a payment by credit card of a fee or other cost.
- (31) A fee, as set by the securities commissioner or court, within certain limits, for sale of securities under an offering that has not been registered, if the transaction or securities are not exempt.
- (32) A \$5 fee for mailing an order vacating or staying an order suspending license to the appropriate licensing authority.

Makes nonsubstantive changes.

**SECTION 11. Repealer: Chapter 104 (Editorial Powers), Government Code.**

**SECTION 12. (a)** Provides that Sections 1-10 of this Act amend provisions in Chapters 101, 102, and 103, Government Code, as amended by the Final Report Regarding Actions to Conform the Statutory Index of Court Fees and Costs to the Acts of the 78th Legislature. Provides that the report was effective September 3, 2004, and was prepared and published in accordance with Chapter 104 (Editorial Powers), Government Code, as it existed before the effective date of this Act. Provides where the report can be located on the internet.

**(b)** Sets forth the findings of the legislature that the index of the court fees and costs provided by Chapters 101, 102, and 103, Government Code, is complete with the passage of this Act and the publication of the report. Provides that the legislature also finds that additional reports under Chapter 104, Government Code, to update the index are no longer necessary because the updating will occur under the Texas Legislative Council's permanent statutory revision program. Requires the council, as part of the program, under Section 323.007(c)(4)(requiring the council to implement a continuous statutory revision program), Government Code, to formulate and implement a continuous revision program of all Texas statutes, which include the index of court fees and costs.

**SECTION 13.** Provides that if any provision of this Act conflicts with a statute enacted by the 79th Legislature, Regular Session, 2005, the statute controls.

**EFFECTIVE DATE**

September 1, 2005

## SUMMARY OF COMMITTEE ACTION

SB 291

May 16, 2005      2:00PM      or upon final adjourn./recess

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Considered in public hearing

Testimony taken in committee (Legislator(s) only.)

Left pending in committee

May 17, 2005      upon lunch recess

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Considered in formal meeting

Recommended to be sent to Local & Consent

Reported favorably without amendment(s)

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**May 12, 2005**

**TO:** Honorable Will Hartnett, Chair, House Committee on Judiciary

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: SB291** by West, Royce (Relating to the index of court fees and costs.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would update the statutory index of court fees and costs to include those currently located in other existing statutes but that previously had not been listed in the comprehensive index. The bill would also repeal the requirement that the Texas Legislative Council review all statutes and prepare a report to update the index of court fees and costs because the report has been published, and enactment of the bill would reflect the findings shown in that report. In addition, maintaining the completeness of the list would exist as a permanent statutory requirement of the Texas Legislative Council. The bill would take effect September 1, 2005, and in any conflict with other statutes, the index of fees would prevail.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 103 Legislative Council, 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 665 Juvenile Probation Commission, 696 Department of Criminal Justice

**LBB Staff:** JOB, DLBa, LG

**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**March 21, 2005**

**TO:** Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: SB291** by West, Royce (Relating to the index of court fees and costs.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would update the statutory index of court fees and costs to include those currently located in other existing statutes but that previously had not been listed in the comprehensive index. The bill would also repeal the requirement that the Texas Legislative Council review all statutes and prepare a report to update the index of court fees and costs because the report has been published, and enactment of the bill would reflect the findings shown in that report. In addition, maintaining the completeness of the list would exist as a permanent statutory requirement of the Texas Legislative Council. The bill would take effect September 1, 2005, and in any conflict with other statutes, the index of fees would prevail.

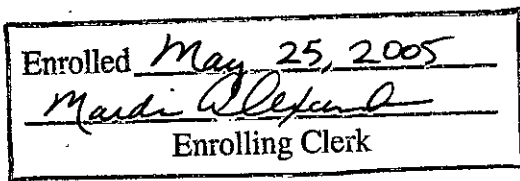
**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 103 Legislative Council, 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 665 Juvenile Probation Commission, 696 Department of Criminal Justice

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8



S.B. No. 291

AN ACT

relating to the index of court fees and costs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 101.061, Government Code, is amended to read as follows:

Sec. 101.061. DISTRICT COURT FEES AND COSTS. The clerk of a district court shall collect fees and costs as follows:

(1) filing fee in action with respect to a fraudulent court record or fraudulent lien or claim filed against property (Sec. 12.005, Civil Practice and Remedies Code) . . . \$15;

(2) fee for service of notice of action with respect to a fraudulent court record or fraudulent lien or claim filed against property (Sec. 12.005, Civil Practice and Remedies Code) . . . not to exceed \$20, if notice delivered in person, or the cost of postage, if service is by registered or certified mail;

(3) court cost in certain civil cases to establish and maintain an alternative dispute resolution system, if authorized by the county commissioners court (Sec. 152.004, Civil Practice and Remedies Code) . . . not to exceed \$10;

(4) appellate judicial system filing fees for:

(A) First or Fourteenth Court of Appeals District (Sec. 22.2021, Government Code) . . . not more than \$5;

(B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . not more than \$5;



(C) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;

(D) Fifth Court of Appeals District (Sec. 22.2061, Government Code) . . . not more than \$5; and

(E) Thirteenth Court of Appeals District (Sec. 22.2141, Government Code) . . . not more than \$5;

(5) additional filing fees:

(A) for each suit filed for insurance contingency fund, if authorized by the county commissioners court (Sec. 51.302, Government Code) . . . not to exceed \$5;

(B) for each civil suit filed, for court-related purposes for the support of the judiciary and for civil legal services to an indigent:

(i) for family law cases and proceedings as defined by Section 25.0002, Government Code (Sec. 133.151, Local Government Code) . . . \$45; or

(ii) for any case other than a case described by Subparagraph (i) (Sec. 133.151, Local Government Code) . . . \$50;

(C) to fund the improvement of Dallas County civil court facilities, if authorized by the county commissioners court (Sec. 51.705, Government Code) . . . not more than \$15; and

(D) on the filing of any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader, or third-party action requiring a filing fee, to fund civil legal services for the indigent:

(i) for family law cases and proceedings as defined by Section 25.0002, Government Code (Sec. 133.152, Local Government Code) . . . \$5; or

(ii) for any case other than a case described by Subparagraph (i) (Sec. 133.152, Local Government Code) . . . \$10;

(6) for filing a suit, including an appeal from an inferior court:

(A) for a suit with 10 or fewer plaintiffs (Sec. 51.317, Government Code) . . . \$50;

(B) for a suit with at least 11 but not more than 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

(C) for a suit with at least 26 but not more than 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

(D) for a suit with at least 101 but not more than 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

(E) for a suit with at least 501 but not more than 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

(F) for a suit with more than 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$200;

(7) for filing a cross-action, counterclaim, intervention, contempt action, motion for new trial, or third-party petition (Sec. 51.317, Government Code) . . . \$15;

(8) for issuing a citation or other writ or process not otherwise provided for, including one copy, when requested at the time a suit or action is filed (Sec. 51.317, Government Code) . . . \$8;

94  
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S.B. No. 291

1           (9) for records management and preservation (Sec.  
2 51.317, Government Code) . . . \$10;

3           (10) for issuing a subpoena, including one copy (Sec.  
4 51.318, Government Code) . . . \$8;

5           (11) for issuing a citation, commission for  
6 deposition, writ of execution, order of sale, writ of execution and  
7 order of sale, writ of injunction, writ of garnishment, writ of  
8 attachment, or writ of sequestration not provided for in Section  
9 51.317, or any other writ or process not otherwise provided for,  
10 including one copy if required by law (Sec. 51.318, Government  
11 Code) . . . \$8;

12           (12) for searching files or records to locate a cause  
13 when the docket number is not provided (Sec. 51.318, Government  
14 Code) . . . \$5;

15           (13) for searching files or records to ascertain the  
16 existence of an instrument or record in the district clerk's office  
17 (Sec. 51.318, Government Code) . . . \$5;

18           (14) for abstracting a judgment (Sec. 51.318,  
19 Government Code) . . . \$8;

20           (15) for approving a bond (Sec. 51.318, Government  
21 Code) . . . \$4;

22           (16) for a certified copy of a record, judgment,  
23 order, pleading, or paper on file or of record in the district  
24 clerk's office, including certificate and seal, for each page or  
25 part of a page (Sec. 51.318, Government Code) . . . \$1;

26           (17) for a noncertified copy, for each page or part of  
27 a page (Sec. 51.318, Government Code) . . . not to exceed \$1;

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S.B. No. 291

1                   (18) jury fee (Sec. 51.604, Government  
2 Code) . . . \$30;

3                   (19) for filing a report of divorce or annulment (Sec.  
4 194.002, Health and Safety Code) . . . \$1;

5                   (20) for filing a suit in Comal County (Sec. 152.0522,  
6 Human Resources Code) . . . \$4;

7                   (21) additional filing fee for family protection on  
8 filing a suit for dissolution of a marriage under Chapter 6, Family  
9 Code, if authorized by the county commissioners court (Sec. 51.961,  
10 Government Code) . . . not to exceed \$15;

11                   (22) fee on filing a suit for dissolution of a marriage  
12 for services of child support department in Harris County, if  
13 authorized by the county commissioners court (Sec. 152.1074, Human  
14 Resources Code) . . . not to exceed \$12;

15                   (22-a) a child support service fee in Nueces County if  
16 ordered by the commissioners court and assessed by the court (Sec.  
17 152.1844, Human Resources Code) . . . not to exceed \$5 a month  
18 payable annually in advance;

19                   (22-b) a service fee to be paid by a person ordered by  
20 a district court to pay child or spousal support:

21                   (A) in Collin County if authorized by the  
22 juvenile board (Sec. 152.0492, Human Resources Code) . . . not to  
23 exceed \$2.50 added to first support payment each month;

24                   (B) in Johnson County if authorized by the  
25 juvenile board (Sec. 152.1322, Human Resources Code) . . . \$1.00  
26 added to first support payment each month; and

27                   (C) in Montague County (Sec. 152.1752, Human

1 Resources Code) . . . \$1 if fee is ordered to be paid monthly, 50  
2 cents if fee is ordered to be paid semimonthly or weekly;

3 (22-c) attorney's fees as an additional cost in  
4 Montague County on a finding of contempt of court for failure to pay  
5 child or spousal support if the contempt action is initiated by the  
6 probation department (Sec. 152.1752, Human Resources  
7 Code) . . . \$15;

8 (23) fee on filing a suit requesting an adoption in  
9 Montague County (Sec. 152.1752, Human Resources Code) . . . \$25;

10 (24) court cost on citation for contempt of court for  
11 failure to comply with child support order in Nueces County, if  
12 authorized by the commissioners court (Sec. 152.1844, Human  
13 Resources Code) . . . not to exceed \$10;

14 (25) fee on filing a suit for divorce in Orange County  
15 (Sec. 152.1873, Human Resources Code) . . . not less than \$5;

16 (26) court costs on citation for contempt of court in  
17 Orange County for failure to comply with a child support order or  
18 order providing for possession of or access to a child (Sec.  
19 152.1873, Human Resources Code) . . . amount determined by  
20 district clerk;

21 (27) fee on filing a suit requesting an adoption in  
22 Orange County (Sec. 152.1874, Human Resources Code) . . . not less  
23 than \$25;

24 (28) fee on filing a suit requesting an adoption in  
25 Wichita County (Sec. 152.2496, Human Resources Code) . . . \$100;

26 (29) additional filing fee to fund the courthouse  
27 security fund, if authorized by the county commissioners court

(Sec. 291.008, Local Government Code) . . . not to exceed \$5;

(30) additional filing fee for filing documents not subject to certain filing fees to fund the courthouse security fund, if authorized by the county commissioners court (Sec. 291.008, Local Government Code) . . . \$1;

(31) additional filing fee to fund the courthouse security fund in Webb County, if authorized by the county commissioners court (Sec. 291.009, Local Government Code) . . . not to exceed \$20;

(32) court cost in civil cases other than suits for delinquent taxes to fund the county law library fund, if authorized by the county commissioners court (Sec. 323.023, Local Government Code) . . . not to exceed \$35;

(33) when administering a case for the Rockwall County Court at Law (Sec. 25.2012, Government Code) . . . civil fees and court costs as if the case had been filed in district court;

(34) at a hearing held by an associate judge in Dallas County, a court cost to preserve the record, in the absence of a court reporter, by other means (Sec. 54.509, Government Code) . . . as assessed by the referring court or associate judge;  
[and]

(35) at a hearing held by an associate judge in Duval County, a court cost to preserve the record (Sec. 54.1151, Government Code, as added by Chapter 1150, Acts of the 78th Legislature, Regular Session, 2003) . . . as imposed by the referring court or associate judge;

(36) court fees and costs, if ordered by the court, for

1 a suit filed by an inmate in which an affidavit or unsworn  
2 declaration of inability to pay costs is filed by the inmate (Sec.  
3 14.006, Civil Practice and Remedies Code) . . . the lesser of:

4 (A) 20 percent of the preceding six months'  
5 deposits to the inmate's trust account administered by the Texas  
6 Department of Criminal Justice under Section 501.014, Government  
7 Code; or

8 (B) the total amount of court fees and costs;

9 (37) monthly payment for remaining court fees and  
10 costs after the initial payment for a suit in which an affidavit or  
11 unsworn declaration of inability to pay costs is filed by the inmate  
12 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser  
13 of:

14 (A) 10 percent of that month's deposit to the  
15 inmate's trust account administered by the Texas Department of  
16 Criminal Justice under Section 501.014, Government Code; or

17 (B) the total amount of court fees and costs that  
18 remain unpaid;

19 (38) the following costs not otherwise charged to the  
20 inmate under Section 14.006, Civil Practice and Remedies Code, if  
21 the inmate has previously filed an action dismissed as malicious or  
22 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

23 (A) expenses of service of process;

24 (B) postage; and

25 (C) transportation, housing, or medical care  
26 incurred in connection with the appearance of the inmate in the  
27 court for any proceeding;

1           (39) fee for performing a service:

2                   (A) related to the matter of the estate of a  
3 deceased person (Sec. 51.319, Government Code) . . . the same fee  
4 allowed the county clerk for those services;

5                   (B) related to the matter of a minor (Sec.  
6 51.319, Government Code) . . . the same fee allowed the county  
7 clerk for the service;

8                   (C) of serving process by certified or registered  
9 mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or  
10 constable is authorized to charge for the service under Section  
11 118.131, Local Government Code; and

12                   (D) prescribed or authorized by law but for which  
13 no fee is set (Sec. 51.319, Government Code) . . . a reasonable  
14 fee;

15           (40) court costs, which may include expert witness  
16 fees in Travis County in an action in which the plaintiff prevails  
17 against an insurer for economic damages sustained by the plaintiff  
18 as a result of unfair discrimination (Sec. 544.054, Insurance  
19 Code) . . . court costs and reasonable and necessary expert  
20 witness fees;

21           (41) security deposit on filing, by any person other  
22 than the personal representative of an estate, an application,  
23 complaint, or opposition in relation to the estate, if required by  
24 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the  
25 proceeding;

26           (42) security deposit on filing, by any person other  
27 than the guardian, attorney ad litem, or guardian ad litem, an



1 application, complaint, or opposition in relation to a guardianship  
2 matter, if required by the clerk (Sec. 622, Texas Probate  
3 Code) . . . probable cost of the guardianship proceeding; and  
4 (43) fee for filing an additional petition for review  
5 of an appraisal review board order relating to certain regulated  
6 property running through or operating in more than one county after  
7 the first petition for review relating to the same property is filed  
8 for a tax year (Sec. 42.221, Tax Code) . . . \$5.

9 SECTION 2. Section 101.081, Government Code, is amended to  
10 read as follows:

11 Sec. 101.081. STATUTORY COUNTY COURT FEES AND COSTS. The  
12 clerk of a statutory county court shall collect fees and costs as  
13 follows:

14 (1) court cost in certain civil cases to establish and  
15 maintain an alternative dispute resolution system, if authorized by  
16 the county commissioners court (Sec. 152.004, Civil Practice and  
17 Remedies Code) . . . not to exceed \$10;

18 (2) appellate judicial system filing fees:

19 (A) First or Fourteenth Court of Appeals District  
20 (Sec. 22.2021, Government Code) . . . not more than \$5;

21 (B) Second Court of Appeals District (Sec.  
22 22.2031, Government Code) . . . not more than \$5;

23 (C) Fourth Court of Appeals District (Sec.  
24 22.2051, Government Code) . . . not more than \$5;

25 (D) Fifth Court of Appeals District (Sec.  
26 22.2061, Government Code) . . . not more than \$5; and

27 (E) Thirteenth Court of Appeals District (Sec.

22.2141, Government Code) . . . not more than \$5;

(3) an official court reporter fee, County Court at Law No. 2 of Bexar County (Sec. 25.0172, Government Code) . . . \$3;

(4) a court reporter fee when testimony is taken in a county court at law in McLennan County (Sec. 25.1572, Government Code) . . . \$3;

(5) a stenographer fee, if a record or part of a record is made:

(A) in a county court at law in Hidalgo County (Sec. 25.1102, Government Code) . . . \$20; and

(B) in a county court at law in Nolan County (Sec. 25.1792, Government Code) . . . \$25;

(6) jury fee (Sec. 51.604, Government Code) . . . \$22;

(7) an additional filing fee:

(A) for each civil case filed to be used for court-related purposes for the support of the judiciary, if authorized by the county commissioners court (Sec. 51.702, Government Code) . . . \$40;

(B) to fund the improvement of Dallas County civil court facilities, if authorized by the county commissioners court (Sec. 51.705, Government Code) . . . not more than \$15; and

(C) for filing any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader, or third-party action requiring a filing fee, to fund civil legal services for the indigent (Sec. 133.153, Local Government

Code) . . . \$5;

(8) for filing an application for registration of death (Sec. 193.007, Health and Safety Code) . . . \$1;

(9) fee for judge's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;

(10) fee for prosecutor's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;

(11) for filing a suit in Comal County (Sec. 152.0522, Human Resources Code) . . . \$4;

(12) additional filing fee to fund contingency fund for liability insurance, if authorized by the county commissioners court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

(13) civil court actions (Sec. 118.052, Local Government Code):

(A) filing of original action (Secs. 118.052 and 118.053, Local Government Code):

(i) garnishment after judgment (Sec. 118.052, Local Government Code) . . . \$15; and

(ii) all others (Sec. 118.052, Local Government Code) . . . \$40;

(B) filing of action other than original (Secs. 118.052 and 118.054, Local Government Code) . . . \$30; and

(C) services rendered after judgment in original action (Secs. 118.052 and 118.0545, Local Government Code):

(i) abstract of judgment (Sec. 118.052,

1 Local Government Code) . . . \$5; and

2 (ii) execution, order of sale, writ, or  
3 other process (Sec. 118.052, Local Government Code) . . . \$5;

4 (14) probate court actions (Sec. 118.052, Local  
5 Government Code):

6 (A) probate original action (Secs. 118.052 and  
7 118.055, Local Government Code):

8 (i) probate of a will with independent  
9 executor, administration with will attached, administration of an  
10 estate, guardianship or receivership of an estate, or muniment of  
11 title (Sec. 118.052, Local Government Code) . . . \$40;

12 (ii) community survivors (Sec. 118.052,  
13 Local Government Code) . . . \$40;

14 (iii) small estates (Sec. 118.052, Local  
15 Government Code) . . . \$40;

16 (iv) declarations of heirship (Sec.  
17 118.052, Local Government Code) . . . \$40;

18 (v) mental health or chemical dependency  
19 services (Sec. 118.052, Local Government Code) . . . \$40; and

20 (vi) additional, special fee (Secs. 118.052  
21 and 118.064, Local Government Code) . . . \$5;

22 (B) services in pending probate action (Secs.  
23 118.052 and 118.056, Local Government Code):

24 (i) filing an inventory and appraisement  
25 after the 120th day after the date of the initial filing of the  
26 action (Sec. 118.052, Local Government Code) . . . \$25;

27 (ii) approving and recording bond (Sec.

1 118.052, Local Government Code) . . . \$3;

2 (iii) administering oath (Sec. 118.052,  
3 Local Government Code) . . . \$2;

4 (iv) filing annual or final account of  
5 estate (Sec. 118.052, Local Government Code) . . . \$25;

6 (v) filing application for sale of real or  
7 personal property (Sec. 118.052, Local Government Code) . . . \$25;  
8 and

9 (vi) filing annual or final report of  
10 guardian of a person (Sec. 118.052, Local Government  
11 Code) . . . \$10;

12 (C) adverse probate action (Secs. 118.052 and  
13 118.057, Local Government Code) . . . \$40; and

14 (D) claim against estate (Secs. 118.052 and  
15 118.058, Local Government Code) . . . \$2;

16 (15) other fees (Sec. 118.052, Local Government Code):

17 (A) issuing document (Secs. 118.052 and 118.059,  
18 Local Government Code):

19 (i) original document and one copy (Sec.  
20 118.052, Local Government Code) . . . \$4; and

21 (ii) each additional set of an original and  
22 one copy (Sec. 118.052, Local Government Code) . . . \$4;

23 (B) certified papers (Secs. 118.052 and 118.060,  
24 Local Government Code):

25 (i) for the clerk's certificate (Sec.  
26 118.052, Local Government Code) . . . \$5; and

27 (ii) a fee per page or part of a page (Sec.

118.052, Local Government Code) . . . \$1;

(C) noncertified papers, for each page or part of a page (Secs. 118.052 and 118.0605, Local Government Code) . . . \$1;

(D) letters testamentary, letter of guardianship, letter of administration, or abstract of judgment (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

(E) safekeeping of wills (Secs. 118.052 and 118.062, Local Government Code) . . . \$5;

(F) mail service of process (Secs. 118.052 and 118.063, Local Government Code) . . . same as sheriff; and

(G) records management and preservation fee (Secs. 118.052, 118.0546, and 118.0645, Local Government Code) . . . \$5;

(16) additional filing fee to fund the courthouse security fund, if authorized by the county commissioners court (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

(17) additional filing fee for filing documents not subject to certain filing fees to fund the courthouse security fund, if authorized by the county commissioners court (Sec. 291.008, Local Government Code) . . . \$1;

(18) additional filing fee to fund the courthouse security fund in Webb County, if authorized by the county commissioners court (Sec. 291.009, Local Government Code) . . . not to exceed \$20;

(19) court cost in civil cases other than suits for delinquent taxes to fund the county law library fund, if authorized

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S.B. No. 291

1 by the county commissioners court (Sec. 323.023, Local Government  
2 Code) . . . not to exceed \$35;

3 (20) fee for deposit of a will with the county clerk  
4 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

5 (21) court cost for each special commissioner in an  
6 eminent domain proceeding (Sec. 21.047, Property Code) . . . as  
7 taxed by the court, \$10 or more; ~~and~~

8 (22) fee for county attorney in a suit regarding a  
9 railroad company's failure to keep roadbed and right-of-way in  
10 proper condition (Art. 6327, Vernon's Texas Civil  
11 Statutes) . . . \$10;

12 (23) court fees and costs, if ordered by the court, for  
13 a suit filed by an inmate in which an affidavit or unsworn  
14 declaration of inability to pay costs is filed by the inmate (Sec.  
15 14.006, Civil Practice and Remedies Code) . . . the lesser of:

16 (A) 20 percent of the preceding six months'  
17 deposits to the inmate's trust account administered by the Texas  
18 Department of Criminal Justice under Section 501.014, Government  
19 Code; or

20 (B) the total amount of court fees and costs;

21 (24) monthly payment for remaining court fees and  
22 costs after the initial payment for a suit in which an affidavit or  
23 unsworn declaration of inability to pay costs is filed by the inmate  
24 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser  
25 of:

26 (A) 10 percent of that month's deposit to the  
27 inmate's trust account administered by the Texas Department of

1 Criminal Justice under Section 501.014, Government Code; or

2 (B) the total amount of court fees and costs that  
3 remain unpaid;

4 (25) the following costs not otherwise charged to the  
5 inmate under Section 14.006, Civil Practice and Remedies Code, if  
6 the inmate has previously filed an action dismissed as malicious or  
7 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

8 (A) expenses of service of process;

9 (B) postage; and

10 (C) transportation, housing, or medical care  
11 incurred in connection with the appearance of the inmate in the  
12 court for any proceeding;

13 (26) the official court reporter's fee taxed as costs  
14 in civil actions in a statutory county court:

15 (A) in Bexar County Courts at Law:

16 (i) Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12  
17 (Sec. 25.0172, Government Code) . . . taxed in the same manner as  
18 the fee is taxed in district court; and

19 (ii) No. 2 (Sec. 25.0172, Government  
20 Code) . . . \$3;

21 (B) in Galveston County (Sec. 25.0862,  
22 Government Code) . . . taxed in the same manner as the fee is taxed  
23 in civil cases in the district courts; and

24 (C) in Parker County (Sec. 25.1862, Government  
25 Code) . . . taxed in the same manner as the fee is taxed in civil  
26 cases in the district courts;

27 (27) a stenographer's fee as costs in each civil,



criminal, and probate case in which a record is made by the official court reporter in a statutory county court in Nolan County (Sec. 25.1792, Government Code) . . . \$25;

(28) in Brazoria County, in matters of concurrent jurisdiction with the district court, fees (Sec. 25.0222, Government Code) . . . as prescribed by law for district judges according to the nature of the matter;

(29) in Nueces County, in matters of concurrent jurisdiction with the district court, with certain exceptions, fees (Sec. 25.1802, Government Code) . . . equal to those in district court cases;

(30) security deposit on filing, by any person other than the personal representative of an estate, an application, complaint, or opposition in relation to the estate, if required by the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the proceeding;

(31) security deposit on filing, by any person other than the guardian, attorney ad litem, or guardian ad litem, an application, complaint, or opposition in relation to a guardianship matter, if required by the clerk (Sec. 622, Texas Probate Code) . . . probable cost of the guardianship proceeding;

(32) for a hearing or proceeding under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as costs (Secs. 571.017 and 571.018, Health and Safety Code) . . . reasonable compensation to the following persons appointed under the Texas Mental Health Code:

(A) attorneys;

1                   (B) physicians;

2                   (C) language interpreters;

3                   (D) sign interpreters; and

4                   (E) masters;

5           (33) for a hearing or proceeding under the Texas  
6 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
7 costs (Sec. 571.018, Health and Safety Code):

8                   (A) attorney's fees;

9                   (B) physician examination fees;

10                  (C) expense of transportation to a mental health  
11 facility or to a federal agency not to exceed \$50 if transporting  
12 within the same county and not to exceed the reasonable cost of  
13 transportation if transporting between counties;

14                  (D) costs and salary supplements authorized  
15 under Section 574.031, Health and Safety Code; and

16                  (E) prosecutors' fees authorized under Section  
17 574.031, Health and Safety Code;

18           (34) expenses of transporting certain patients from  
19 the county of treatment to a hearing in the county in which the  
20 proceedings originated (Sec. 574.008, Health and Safety  
21 Code) . . . actual expenses unless certain arrangements are made  
22 to hold the hearing in the county in which the patient is receiving  
23 services;

24           (35) expenses for expert witness testimony for an  
25 indigent patient (Sec. 574.010, Health and Safety Code) . . . if  
26 authorized by the court as reimbursement to the attorney ad litem,  
27 court-approved expenses;

1           (36) fee for judge's services for holding a hearing on  
2 an application for court-ordered mental health services (Sec.  
3 574.031, Health and Safety Code) . . . as assessed by the judge,  
4 not to exceed \$50;

5           (37) expenses to reimburse judge for holding a hearing  
6 in a hospital or location other than the county courthouse (Sec.  
7 574.031, Health and Safety Code) . . . reasonable and necessary  
8 expenses as certified;

9           (38) fee for services of a prosecuting attorney,  
10 including costs incurred for preparation of documents related to a  
11 hearing on an application for court-ordered mental health services  
12 (Sec. 574.031, Health and Safety Code) . . . as assessed by the  
13 judge, not to exceed \$50; and

14           (39) a fee not otherwise listed in this section that is  
15 required to be collected under Section 25.0008, Government Code  
16 (Sec. 25.0008, Government Code), in a county other than Brazos,  
17 Cameron, Ellis, Guadalupe, Harris, Henderson, Liberty, Moore,  
18 Nolan, Panola, Parker, Starr, Victoria, and Williamson . . . as  
19 prescribed by law relating to county judges' fees.

20           SECTION 3. Section 101.101, Government Code, is amended to  
21 read as follows:

22           Sec. 101.101. STATUTORY PROBATE COURT FEES AND COSTS. The  
23 clerk of a statutory probate court shall collect fees and costs as  
24 follows:

25           (1) court cost in certain civil cases to establish and  
26 maintain an alternative dispute resolution system, if authorized by  
27 the county commissioners court (Sec. 152.004, Civil Practice and

1 Remedies Code) . . . not to exceed \$10;

2 (2) appellate judicial system filing fees:

3 (A) First or Fourteenth Court of Appeals District  
4 (Sec. 22.2021, Government Code) . . . not more than \$5;

5 (B) Second Court of Appeals District (Sec.  
6 22.2031, Government Code) . . . not more than \$5;

7 (C) Fourth Court of Appeals District (Sec.  
8 22.2051, Government Code) . . . not more than \$5;

9 (D) Fifth Court of Appeals District (Sec.  
10 22.2061, Government Code) . . . not more than \$5; and

11 (E) Thirteenth Court of Appeals District (Sec.  
12 22.2141, Government Code) . . . not more than \$5;

13 (3) additional filing fees as follows:

14 (A) for certain cases to be used for  
15 court-related purposes for support of the judiciary, if authorized  
16 by the county commissioners court (Sec. 51.704, Government  
17 Code) . . . \$40;

18 (B) to fund the improvement of Dallas County  
19 civil court facilities, if authorized by the county commissioners  
20 court (Sec. 51.705, Government Code) . . . not more than \$15; and

21 (C) for filing any civil action or proceeding  
22 requiring a filing fee, including an appeal, and on the filing of  
23 any counterclaim, cross-action, intervention, interpleader, or  
24 third-party action requiring a filing fee to fund civil legal  
25 services for the indigent (Sec. 133.153, Local Government  
26 Code) . . . \$5;

27 (4) for filing an application for registration of

1 death (Sec. 193.007, Health and Safety Code) . . . \$1;

2 (5) fee for judge's services on an application for  
3 court-ordered mental health services (Sec. 574.031, Health and  
4 Safety Code) . . . not to exceed \$50;

5 (6) fee for prosecutor's services on an application  
6 for court-ordered mental health services (Sec. 574.031, Health and  
7 Safety Code) . . . not to exceed \$50;

8 (7) additional filing fee to fund contingency fund for  
9 liability insurance, if authorized by the county commissioners  
10 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

11 (8) probate court actions (Sec. 118.052, Local  
12 Government Code):

13 (A) probate original action (Secs. 118.052 and  
14 118.055, Local Government Code):

15 (i) probate of a will with independent  
16 executor, administration with will attached, administration of an  
17 estate, guardianship or receivership of an estate, or muniment of  
18 title (Sec. 118.052, Local Government Code) . . . \$40;

19 (ii) community survivors (Sec. 118.052,  
20 Local Government Code) . . . \$40;

21 (iii) small estates (Sec. 118.052, Local  
22 Government Code) . . . \$40;

23 (iv) declarations of heirship (Sec.  
24 118.052, Local Government Code) . . . \$40;

25 (v) mental health or chemical dependency  
26 services (Sec. 118.052, Local Government Code) . . . \$40; and

27 (vi) additional, special fee (Secs. 118.052

and 118.064, Local Government Code) . . . \$5;

(B) services in pending probate action (Secs. 118.052 and 118.056, Local Government Code):

(i) filing an inventory and appraisement after the 120th day after the date of the initial filing of the action (Sec. 118.052, Local Government Code) . . . \$25;

(ii) approving and recording bond (Sec. 118.052, Local Government Code) . . . \$3;

(iii) administering oath (Sec. 118.052, Local Government Code) . . . \$2;

(iv) filing annual or final account of estate (Sec. 118.052, Local Government Code) . . . \$25;

(v) filing application for sale of real or personal property (Sec. 118.052, Local Government Code) . . . \$25; and

(vi) filing annual or final report of guardian of a person (Sec. 118.052, Local Government Code) . . . \$10;

(C) adverse probate action (Secs. 118.052 and 118.057, Local Government Code) . . . \$40; and

(D) claim against estate (Secs. 118.052 and 118.058, Local Government Code) . . . \$2;

(9) other fees (Sec. 118.052, Local Government Code):

(A) issuing document (Secs. 118.052 and 118.059, Local Government Code):

(i) original document and one copy (Sec. 118.052, Local Government Code) . . . \$4; and

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S.B. No. 291

(ii) each additional set of an original and one copy (Sec. 118.052, Local Government Code) . . . \$4;

(B) certified papers (Secs. 118.052 and 118.060, Local Government Code):

(i) for the clerk's certificate (Sec. 118.052, Local Government Code) . . . \$5; and

(ii) a fee per page or part of a page (Sec. 118.052, Local Government Code) . . . \$1;

(C) noncertified papers, for each page or part of a page (Secs. 118.052 and 118.0605, Local Government Code) . . . \$1;

(D) letters testamentary, letter of guardianship, letter of administration, or abstract of judgment (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

(E) safekeeping of wills (Secs. 118.052 and 118.062, Local Government Code) . . . \$5;

(F) mail service of process (Secs. 118.052 and 118.063, Local Government Code) . . . same as sheriff; and

(G) records management and preservation fee (Secs. 118.052 and 118.0645, Local Government Code) . . . \$5;

(10) fee for deposit of a will with the county clerk during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

(11) court costs for each special commissioner in an eminent domain proceeding (Sec. 21.047, Property Code) . . . as taxed by the court, \$10 or more;

(12) jury fee for civil case (Sec. 51.604, Government Code) . . . \$22; ~~and~~

(13) court cost in civil cases other than suits for delinquent taxes to fund the county law library fund, if authorized by the county commissioners court (Sec. 323.023, Local Government Code) . . . not to exceed \$35;

(14) the expense of preserving the record as a court cost, if imposed on a party by the referring court or associate judge (Sec. 54.612, Government Code) . . . actual cost;

(15) security deposit on filing, by any person other than the personal representative of an estate, an application, complaint, or opposition in relation to the estate, if required by the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the proceeding;

(16) security deposit on filing, by any person other than the guardian, attorney ad litem, or guardian ad litem, an application, complaint, or opposition in relation to a guardianship matter, if required by the clerk (Sec. 622, Texas Probate Code) . . . probable cost of the guardianship proceeding;

(17) for a hearing or proceeding under the Texas Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as costs (Secs. 571.017 and 571.018, Health and Safety Code) . . . reasonable compensation to the following persons appointed under the Texas Mental Health Code:

(A) attorneys;

(B) physicians;

(C) language interpreters;

(D) sign interpreters; and

(E) masters;



1           (18) for a hearing or proceeding under the Texas  
2 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
3 costs (Sec. 571.018, Health and Safety Code):

4                   (A) attorney's fees;

5                   (B) physician examination fees;

6                   (C) expense of transportation to a mental health  
7 facility or to a federal agency not to exceed \$50 if transporting  
8 within the same county and not to exceed the reasonable cost of  
9 transportation if transporting between counties;

10                   (D) costs and salary supplements authorized  
11 under Section 574.031, Health and Safety Code; and

12                   (E) prosecutors' fees authorized under Section  
13 574.031, Health and Safety Code;

14           (19) expenses of transporting certain patients from  
15 the county of treatment to a hearing in the county in which the  
16 proceedings originated (Sec. 574.008, Health and Safety  
17 Code) . . . actual expenses unless certain arrangements are made  
18 to hold the hearing in the county in which the patient is receiving  
19 services;

20           (20) expenses for expert witness testimony for an  
21 indigent patient (Sec. 574.010, Health and Safety Code) . . . if  
22 authorized by the court as reimbursement to the attorney ad litem,  
23 court-approved expenses;

24           (21) fee for judge's services for holding a hearing on  
25 an application for court-ordered mental health services (Sec.  
26 574.031, Health and Safety Code) . . . as assessed by the judge,  
27 not to exceed \$50;

1           (22) expenses to reimburse judge for holding a hearing  
2 in a hospital or location other than the county courthouse (Sec.  
3 574.031, Health and Safety Code) . . . reasonable and necessary  
4 expenses as certified;

5           (23) fee for services of a prosecuting attorney,  
6 including costs incurred for preparation of documents related to a  
7 hearing on an application for court-ordered mental health services  
8 (Sec. 574.031, Health and Safety Code) . . . as assessed by the  
9 judge, not to exceed \$50; and

10           (24) a fee not otherwise listed in this section that is  
11 required to be collected under Section 25.0029, Government Code  
12 (Sec. 25.0029, Government Code) . . . as prescribed by law  
13 relating to county judges' fees.

14           SECTION 4. Section 101.121, Government Code, is amended to  
15 read as follows:

16           Sec. 101.121. COUNTY COURT FEES AND COSTS. The clerk of a  
17 county court shall collect:

18           (1) fee for hearing on application for a license to  
19 manufacture, distribute, store, or sell beer (Sec. 61.31, Alcoholic  
20 Beverage Code) . . . \$5;

21           (2) court cost in certain civil cases to establish and  
22 maintain an alternative dispute resolution system, if authorized by  
23 the county commissioners court (Sec. 152.004, Civil Practice and  
24 Remedies Code) . . . not to exceed \$10;

25           (3) appellate judicial system filing fees:

26                   (A) First or Fourteenth Court of Appeals District  
27 (Sec. 22.2021, Government Code) . . . not more than \$5;

48  
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S.B. No. 291

(B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . not more than \$5;

(C) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;

(D) Fifth Court of Appeals District (Sec. 22.2061, Government Code) . . . not more than \$5; and

(E) Thirteenth Court of Appeals District (Sec. 22.2141, Government Code) . . . not more than \$5;

(4) a jury fee (Sec. 51.604, Government Code) . . . \$22;

(5) a filing fee in each civil case filed to be used for court-related purposes for the support of the judiciary (Sec. 51.703, Government Code) . . . \$40;

(6) for filing an application for registration of death (Sec. 193.007, Health and Safety Code) . . . \$1;

(7) fee for judge's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;

(8) fee for prosecutor's services on an application for court-ordered mental health services (Sec. 574.031, Health and Safety Code) . . . not to exceed \$50;

(9) additional filing fee to fund contingency fund for liability insurance, if authorized by the county commissioners court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

(10) civil court actions (Sec. 118.052, Local Government Code):

(A) filing of original action (Secs. 118.052 and

118.053, Local Government Code):

(i) garnishment after judgment (Sec. 118.052, Local Government Code) . . . \$15; and

(ii) all others (Sec. 118.052, Local Government Code) . . . \$40;

(B) filing of action other than original (Secs. 118.052 and 118.054, Local Government Code) . . . \$30; and

(C) services rendered after judgment in original action (Secs. 118.052 and 118.0545, Local Government Code):

(i) abstract of judgment (Sec. 118.052, Local Government Code) . . . \$5; and

(ii) execution, order of sale, writ, or other process (Sec. 118.052, Local Government Code) . . . \$5;

(11) probate court actions (Sec. 118.052, Local Government Code):

(A) probate original action (Secs. 118.052 and 118.055, Local Government Code):

(i) probate of a will with independent executor, administration with will attached, administration of an estate, guardianship or receivership of an estate, or muniment of title (Sec. 118.052, Local Government Code) . . . \$40;

(ii) community survivors (Sec. 118.052, Local Government Code) . . . \$40;

(iii) small estates (Sec. 118.052, Local Government Code) . . . \$40;

(iv) declarations of heirship (Sec. 118.052, Local Government Code) . . . \$40;

(v) mental health or chemical dependency services (Sec. 118.052, Local Government Code) . . . \$40; and

(vi) additional, special fee (Secs. 118.052 and 118.064, Local Government Code) . . . \$5;

(B) services in pending probate action (Secs. 118.052 and 118.056, Local Government Code):

(i) filing an inventory and appraisement after the 120th day after the date of the initial filing of the action (Sec. 118.052, Local Government Code) . . . \$25;

(ii) approving and recording bond (Sec. 118.052, Local Government Code) . . . \$3;

(iii) administering oath (Sec. 118.052, Local Government Code) . . . \$2;

(iv) filing annual or final account of estate (Sec. 118.052, Local Government Code) . . . \$25;

(v) filing application for sale of real or personal property (Sec. 118.052, Local Government Code) . . . \$25; and

(vi) filing annual or final report of guardian of a person (Sec. 118.052, Local Government Code) . . . \$10;

(C) adverse probate action (Secs. 118.052 and 118.057, Local Government Code) . . . \$40; and

(D) claim against estate (Secs. 118.052 and 118.058, Local Government Code) . . . \$2;

(12) other fees (Sec. 118.052, Local Government Code):

(A) issuing document (Secs. 118.052 and 118.059,

S.B. No. 291

Local Government Code):

(i) original document and one copy (Sec. 118.052, Local Government Code) . . . \$4; and

(ii) each additional set of an original and one copy (Sec. 118.052, Local Government Code) . . . \$4;

(B) certified papers (Secs. 118.052 and 118.060, Local Government Code):

(i) for the clerk's certificate (Sec. 118.052, Local Government Code) . . . \$5; and

(ii) a fee per page or part of a page (Sec. 118.052, Local Government Code) . . . \$1;

(C) noncertified papers, for each page or part of a page (Secs. 118.052 and 118.0605, Local Government Code) . . . \$1;

(D) letters testamentary, letter of guardianship, letter of administration, or abstract of judgment (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

(E) safekeeping of wills (Secs. 118.052 and 118.062, Local Government Code) . . . \$5;

(F) mail service of process (Secs. 118.052 and 118.063, Local Government Code) . . . same as sheriff; and

(G) records management and preservation fee (Secs. 118.052, 118.0546, and 118.0645, Local Government Code) . . . \$5;

(13) deposit on filing petition requesting permission to create a municipal civic center authority (Sec. 281.013, Local Government Code) . . . \$200;

2000

S.B. No. 291

1           (14) additional filing fee to fund the courthouse  
2 security fund, if authorized by the county commissioners court  
3 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

4           (15) additional filing fee for filing documents not  
5 subject to certain filing fees to fund the courthouse security  
6 fund, if authorized by the county commissioners court (Sec.  
7 291.008, Local Government Code) . . . \$1;

8           (16) additional filing fee to fund the courthouse  
9 security fund in Webb County, if authorized by the county  
10 commissioners court (Sec. 291.009, Local Government  
11 Code) . . . not to exceed \$20;

12           (17) court cost in civil cases other than suits for  
13 delinquent taxes to fund the county law library fund, if authorized  
14 by the county commissioners court (Sec. 323.023, Local Government  
15 Code) . . . not to exceed \$35;

16           (18) fee for deposit of a will with the county clerk  
17 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

18           (19) fee for county attorney in a suit regarding a  
19 railroad company's failure to keep roadbed and right-of-way in  
20 proper condition (Art. 6327, Vernon's Texas Civil  
21 Statutes) . . . \$10;

22           (20) appeal bond from a petitioner or taxpayer in a  
23 water control and preservation district (Art. 7818, Vernon's Texas  
24 Civil Statutes) . . . \$100; ~~and~~

25           (21) additional filing fee for filing any civil action  
26 or proceeding requiring a filing fee, including an appeal, and on  
27 the filing of any counterclaim, cross-action, intervention,

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S.B. No. 291

interpleader, or third-party action requiring a filing fee, to fund civil legal services for the indigent (Sec. 133.153, Local Government Code) . . . \$5;

(22) court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 20 percent of the preceding six months' deposits to the inmate's trust account administered by the Texas Department of Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs;

(23) monthly payment for remaining court fees and costs after the initial payment for a suit in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 10 percent of that month's deposit to the inmate's trust account administered by the Texas Department of Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs that remain unpaid;

(24) the following costs not otherwise charged to the inmate under Section 14.006, Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous (Sec. 14.007, Civil Practice and Remedies Code):

(A) expenses of service of process;



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1                   (B) postage; and

2                   (C) transportation, housing, or medical care  
3 incurred in connection with the appearance of the inmate in the  
4 court for any proceeding;

5                   (25) security deposit on filing, by any person other  
6 than the personal representative of an estate, an application,  
7 complaint, or opposition in relation to the estate, if required by  
8 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the  
9 proceeding;

10                   (26) security deposit on filing, by any person other  
11 than the guardian, attorney ad litem, or guardian ad litem, an  
12 application, complaint, or opposition in relation to a guardianship  
13 matter, if required by the clerk (Sec. 622, Texas Probate  
14 Code) . . . probable cost of the guardianship proceeding;

15                   (27) for a hearing or proceeding under the Texas  
16 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
17 costs (Secs. 571.017 and 571.018, Health and Safety  
18 Code) . . . reasonable compensation to the following persons  
19 appointed under the Texas Mental Health Code:

20                   (A) attorneys;

21                   (B) physicians;

22                   (C) language interpreters;

23                   (D) sign interpreters; and

24                   (E) masters;

25                   (28) for a hearing or proceeding under the Texas  
26 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as  
27 costs (Sec. 571.018, Health and Safety Code):

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1                   (A) attorney's fees;

2                   (B) physician examination fees;

3                   (C) expense of transportation to a mental health  
4 facility or to a federal agency not to exceed \$50 if transporting  
5 within the same county and not to exceed the reasonable cost of  
6 transportation if transporting between counties;

7                   (D) costs and salary supplements authorized  
8 under Section 574.031, Health and Safety Code; and

9                   (E) prosecutors' fees authorized under Section  
10 574.031, Health and Safety Code;

11                   (29) expenses of transporting certain patients from  
12 the county of treatment to a hearing in the county in which the  
13 proceedings originated (Sec. 574.008, Health and Safety  
14 Code) . . . actual expenses unless certain arrangements are made  
15 to hold the hearing in the county in which the patient is receiving  
16 services;

17                   (30) expenses for expert witness testimony for an  
18 indigent patient (Sec. 574.010, Health and Safety Code) . . . if  
19 authorized by the court as reimbursement to the attorney ad litem,  
20 court-approved expenses;

21                   (31) fee for judge's services for holding a hearing on  
22 an application for court-ordered mental health services (Sec.  
23 574.031, Health and Safety Code) . . . as assessed by the judge,  
24 not to exceed \$50;

25                   (32) expenses to reimburse judge for holding a hearing  
26 in a hospital or location other than the county courthouse (Sec.  
27 574.031, Health and Safety Code) . . . reasonable and necessary

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S.B. No. 291

1 expenses as certified; and

2 (33) fee for services of a prosecuting attorney,  
3 including costs incurred for preparation of documents related to a  
4 hearing on an application for court-ordered mental health services  
5 (Sec. 574.031, Health and Safety Code) . . . as assessed by the  
6 judge, not to exceed \$50.

7 SECTION 5. Section 101.141, Government Code, is amended to  
8 read as follows:

9 Sec. 101.141. JUSTICE COURT AND SMALL CLAIMS COURT FEES AND  
10 COSTS. (a) A clerk of a justice court shall collect fees and costs  
11 as follows:

12 (1) additional court cost in certain civil cases to  
13 establish and maintain an alternative dispute resolution system, if  
14 authorized by the commissioners court of a county with a population  
15 of at least 2.5 million (Sec. 152.005, Civil Practice and Remedies  
16 Code) . . . not to exceed \$3;

17 (2) additional filing fees:

18 (A) to fund Dallas County civil court facilities  
19 (Sec. 51.705, Government Code) . . . not more than \$15; and

20 (B) for filing any civil action or proceeding  
21 requiring a filing fee, including an appeal, and on the filing of  
22 any counterclaim, cross-action, intervention, interpleader, or  
23 third-party action requiring a filing fee, to fund civil legal  
24 services for the indigent (Sec. 133.153, Local Government  
25 Code) . . . \$2;

26 (3) for filing a suit in Comal County (Sec. 152.0522,  
27 Human Resources Code) . . . \$1.50; ~~and~~

(4) fee for hearing on probable cause for removal of a vehicle and placement in a storage facility if assessed by the court (Sec. 685.008, Transportation Code) . . . \$10;

(5) court fees and costs, if ordered by the court, for a suit filed by an inmate in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 20 percent of the preceding six months' deposits to the inmate's trust account administered by the Texas Department of Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs;

(6) monthly payment for remaining court fees and costs after the initial payment for a suit in which an affidavit or unsworn declaration of inability to pay costs is filed by the inmate (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 10 percent of that month's deposit to the inmate's trust account administered by the Texas Department of Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs that remain unpaid;

(7) the following costs not otherwise charged to the inmate under Section 14.006, Civil Practice and Remedies Code, if the inmate has previously filed an action dismissed as malicious or frivolous (Sec. 14.007, Civil Practice and Remedies Code):

(A) expenses of service of process;

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(B) postage; and

(C) transportation, housing, or medical care incurred in connection with the appearance of the inmate in the court for any proceeding; and

(8) the cost of a special program that a court may order a child to attend after a finding that the child committed an offense, if ordered by the court (Art. 45.057, Code of Criminal Procedure) . . . costs of the program not to exceed \$100.

(b) A justice of the peace shall collect the following fees:

(1) services rendered before judgment (Secs. 118.121 and 118.122, Local Government Code):

(A) justice court (Sec. 118.121, Local Government Code) . . . \$15; and

(B) small claims court (Sec. 118.121, Local Government Code) . . . \$10; ~~and~~

(2) services rendered after judgment (Secs. 118.121 and 118.123, Local Government Code):

(A) transcript (Sec. 118.121, Local Government Code) . . . \$10;

(B) abstract of judgment (Sec. 118.121, Local Government Code) . . . \$5;

(C) execution, order of sale, writ of restitution, or other writ or process (Sec. 118.121, Local Government Code) . . . \$5 per page;

(D) certified copy of court papers (Secs. 118.121 and 118.1235, Local Government Code) . . . \$2 for first page; \$0.25 for each additional page; and

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S.B. No. 291

(E) issuing other document (no return required)  
(Sec. 118.121, Local Government Code) . . . \$1 for first page;  
\$0.25 for each additional page;

(3) court fees and costs, if ordered by the court, for  
a suit filed by an inmate in which an affidavit or unsworn  
declaration of inability to pay costs is filed by the inmate (Sec.  
14.006, Civil Practice and Remedies Code) . . . the lesser of:

(A) 20 percent of the preceding six months'  
deposits to the inmate's trust account administered by the Texas  
Department of Criminal Justice under Section 501.014, Government  
Code; or

(B) the total amount of court fees and costs;

(4) monthly payment for remaining court fees and costs  
after the initial payment for a suit in which an affidavit or  
unsworn declaration of inability to pay costs is filed by the inmate  
(Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser  
of:

(A) 10 percent of that month's deposit to the  
inmate's trust account administered by the Texas Department of  
Criminal Justice under Section 501.014, Government Code; or

(B) the total amount of court fees and costs that  
remain unpaid; and

(5) the following costs not otherwise charged to the  
inmate under Section 14.006, Civil Practice and Remedies Code, if  
the inmate has previously filed an action dismissed as malicious or  
frivolous (Sec. 14.007, Civil Practice and Remedies Code):

(A) expenses of service of process;

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S.B. No. 291

1                    (B) postage; and

2                    (C) transportation, housing, or medical care  
3 incurred in connection with the appearance of the inmate in the  
4 court for any proceeding.

5            SECTION 6. Section 101.161, Government Code, is amended to  
6 read as follows:

7            Sec. 101.161. MUNICIPAL COURT FEES AND COSTS. The clerk of  
8 a municipal court shall collect:

9            (1) [~~may collect~~] a fee for a hearing on probable cause  
10 for removal of a vehicle and placement in a storage facility if  
11 assessed by the court (Sec. 685.008, Transportation  
12 Code) . . . \$10; and

13            (2) the cost of a special program that a court may  
14 order a child to attend after finding that the child committed an  
15 offense, if ordered by the court (Art. 45.057, Code of Criminal  
16 Procedure) . . . costs of the program not to exceed \$100.

17            SECTION 7. Section 101.181, Government Code, is amended to  
18 read as follows:

19            Sec. 101.181. MUNICIPAL COURTS OF RECORD FEES AND COSTS.  
20 The clerk of a municipal court of record shall collect the following  
21 fees and costs:

22            (1) from an appellant, a transcript preparation fee  
23 (Sec. 30.00014, Government Code) . . . \$25;

24            (2) from an appellant in the City of El Paso, an  
25 appellate court docket fee (Sec. 30.00147, Government  
26 Code) . . . \$25; ~~and~~

27            (3) fee for hearing on probable cause for removal of a

1 vehicle and placement in a storage facility if assessed by the court  
2 (Sec. 685.008, Transportation Code) . . . \$10;  
3 and

4 (4) the cost of a special program that a court may  
5 order a child to attend after finding that the child committed an  
6 offense, if ordered by the court (Art. 45.057, Code of Criminal  
7 Procedure) . . . costs of the program, not to exceed \$100.

8 SECTION 8. Section 102.021, Government Code, is amended to  
9 read as follows:

10 Sec. 102.021. COURT COSTS ON CONVICTION. A person  
11 convicted of an offense shall pay, in addition to all other costs:

12 (1) court costs on conviction of a felony (Sec.  
13 133.102, Local Government Code) . . . \$133;

14 (2) court costs on conviction of a Class A or Class B  
15 misdemeanor (Sec. 133.102, Local Government Code) . . . \$83;

16 (3) court costs on conviction of a nonjailable  
17 misdemeanor offense, including a criminal violation of a municipal  
18 ordinance, other than a conviction of an offense relating to a  
19 pedestrian or the parking of a motor vehicle (Sec. 133.102, Local  
20 Government Code) . . . \$40;

21 (4) court costs on certain convictions in statutory  
22 county courts (Sec. 51.702, Government Code) . . . \$15;

23 (5) court costs on certain convictions in certain  
24 county courts (Sec. 51.703, Government Code) . . . \$15;

25 (6) a time payment fee if convicted of a felony or  
26 misdemeanor for paying any part of a fine, court costs, or  
27 restitution on or after the 31st day after the date on which a



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S.B. No. 291

1 judgment is entered assessing the fine, court costs, or restitution  
2 (Sec. 133.103, Local Government Code) . . . \$25;

3 (7) a fee for services of prosecutor (Art. 102.008,  
4 Code of Criminal Procedure) . . . \$25;

5 (8) fees for services of peace officer:

6 (A) issuing a written notice to appear in court  
7 for certain violations (Art. 102.011, Code of Criminal  
8 Procedure) . . . \$5;

9 (B) executing or processing an issued arrest  
10 warrant or capias (Art. 102.011, Code of Criminal  
11 Procedure) . . . \$50;

12 (C) summoning a witness (Art. 102.011, Code of  
13 Criminal Procedure) . . . \$5;

14 (D) serving a writ not otherwise listed (Art.  
15 102.011, Code of Criminal Procedure) . . . \$35;

16 (E) taking and approving a bond and, if  
17 necessary, returning the bond to courthouse (Art. 102.011, Code of  
18 Criminal Procedure) . . . \$10;

19 (F) commitment or release (Art. 102.011, Code of  
20 Criminal Procedure) . . . \$5;

21 (G) summoning a jury (Art. 102.011, Code of  
22 Criminal Procedure) . . . \$5;

23 (H) attendance of a prisoner in habeas corpus  
24 case if prisoner has been remanded to custody or held to bail (Art.  
25 102.011, Code of Criminal Procedure) . . . \$8 each day;

26 (I) mileage for certain services performed (Art.  
27 102.011, Code of Criminal Procedure) . . . \$0.29 per mile; and

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S.B. No. 291

1 (J) services of a sheriff or constable who serves  
2 process and attends examining trial in certain cases (Art. 102.011,  
3 Code of Criminal Procedure) . . . not to exceed \$5;

4 (9) services of a peace officer in conveying a witness  
5 outside the county (Art. 102.011, Code of Criminal  
6 Procedure) . . . \$10 per day or part of a day, plus actual  
7 necessary travel expenses;

8 (10) overtime of peace officer for time spent  
9 testifying in the trial or traveling to or from testifying in the  
10 trial (Art. 102.011, Code of Criminal Procedure) . . . actual  
11 cost;

12 (11) court costs on an offense relating to rules of the  
13 road, when offense occurs within a school crossing zone (Art.  
14 102.014, Code of Criminal Procedure) . . . \$25;

15 (12) court costs on an offense of passing a school bus  
16 (Art. 102.014, Code of Criminal Procedure) . . . \$25;

17 (13) court costs on an offense of truancy or  
18 contributing to truancy (Art. 102.014, Code of Criminal  
19 Procedure) . . . \$20;

20 (14) cost for visual recording of intoxication arrest  
21 before conviction (Art. 102.018, Code of Criminal  
22 Procedure) . . . \$15;

23 (15) cost of certain evaluations (Art. 102.018, Code  
24 of Criminal Procedure) . . . actual cost;

25 (16) additional costs attendant to certain  
26 intoxication convictions under Chapter 49, Penal Code, for  
27 emergency medical services, trauma facilities, and trauma care

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S.B. No. 291

1 systems (Art. 102.0185, Code of Criminal Procedure) . . . \$100;

2 (17) cost for DNA testing for certain felonies (Art.  
3 102.020, Code of Criminal Procedure) . . . \$250;

4 (18) court cost on an offense of public lewdness or  
5 indecent exposure (Art. 102.020, Code of Criminal  
6 Procedure) . . . \$50;

7 (19) court cost on conviction of a misdemeanor under  
8 Subtitle C, Title 7, Transportation Code (Sec. 542.403,  
9 Transportation Code) . . . \$3;

10 (20) cost for impoundment of vehicle (Sec. 601.263,  
11 Transportation Code) . . . \$15 per day; ~~and~~

12 (21) a civil and criminal enforcement cost on  
13 conviction of an offense of, or related to, the nonpayment of a toll  
14 in certain counties (Sec. 284.2031, Transportation Code) . . . \$1;  
15 and

16 (22) if directed by the justice of the peace or  
17 municipal court judge hearing the case, court costs on conviction  
18 in a criminal action (Art. 45.041, Code of Criminal  
19 Procedure) . . . part or all of the costs as directed by the judge.

20 SECTION 9. Section 103.021, Government Code, is amended to  
21 read as follows:

22 Sec. 103.021. ADDITIONAL FEES AND COSTS IN CRIMINAL OR  
23 CIVIL CASES. An accused or defendant, or a party to a civil suit, as  
24 applicable, shall pay the following fees and costs if ordered by the  
25 court or otherwise required:

26 (1) a personal bond fee (Art. 17.42, Code of Criminal  
27 Procedure) . . . the greater of \$20 or three percent of the amount

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S.B. No. 291

1 of the bail fixed for the accused;

2 (2) cost of electronic monitoring as a condition of  
3 release on personal bond (Art. 17.43, Code of Criminal  
4 Procedure) . . . actual cost;

5 (3) a fee for verification of and monitoring of motor  
6 vehicle ignition interlock (Art. 17.441, Code of Criminal  
7 Procedure) . . . not to exceed \$10;

8 (4) repayment of reward paid by a crime stoppers  
9 organization on conviction of a felony (Art. 37.073, Code of  
10 Criminal Procedure) . . . amount ordered;

11 (5) reimbursement to general revenue fund for payments  
12 made to victim of an offense as condition of community supervision  
13 (Art. 42.12, Code of Criminal Procedure) . . . not to exceed \$50  
14 for a misdemeanor offense or \$100 for a felony offense;

15 (6) payment to a crime stoppers organization as  
16 condition of community supervision (Art. 42.12, Code of Criminal  
17 Procedure) . . . not to exceed \$50;

18 (7) children's advocacy center fee (Art. 42.12, Code  
19 of Criminal Procedure) . . . not to exceed \$50;

20 (8) family violence shelter center fee (Art. 42.12,  
21 Code of Criminal Procedure) . . . not to exceed \$100;

22 (9) community supervision fee (Art. 42.12, Code of  
23 Criminal Procedure) . . . not less than \$25 or more than \$60 per  
24 month;

25 (10) additional community supervision fee for certain  
26 offenses (Art. 42.12, Code of Criminal Procedure) . . . \$5 per  
27 month;

(11) for certain financially able sex offenders as a condition of community supervision, the costs of treatment, specialized supervision, or rehabilitation (Art. 42.12, Code of Criminal Procedure) . . . all or part of the reasonable and necessary costs of the treatment, supervision, or rehabilitation as determined by the judge;

(12) fee for failure to appear for trial in a justice or municipal court if a jury trial is not waived (Art. 45.026, Code of Criminal Procedure) . . . costs incurred for impaneling the jury;

(13) costs of certain testing, assessments, or programs during a deferral period (Art. 45.051, Code of Criminal Procedure) . . . amount ordered;

(14) special expense on dismissal of certain misdemeanor complaints (Art. 45.051, Code of Criminal Procedure) . . . not to exceed amount of fine assessed;

(15) an additional fee:

(A) as an administrative fee for requesting a driving safety course or a course under the motorcycle operator training and safety program for certain traffic offenses to cover the cost of administering the article (Art. 45.0511(f)(1), Code of Criminal Procedure) . . . not to exceed \$10; or

(B) for requesting a driving safety course or a course under the motorcycle operator training and safety program before the final disposition of the case (Art. 45.0511(f)(2), Code of Criminal Procedure) . . . not to exceed the maximum amount of the fine for the offense committed by the defendant;

(16) a request fee for teen court program (Art. 45.052, Code of Criminal Procedure) . . . not to exceed \$10;

(17) a fee to cover costs of required duties of teen court (Art. 45.052, Code of Criminal Procedure) . . . \$10;

(18) a mileage fee for officer performing certain services (Art. 102.001, Code of Criminal Procedure) . . . \$0.15 per mile;

(19) certified mailing of notice of hearing date (Art. 102.006, Code of Criminal Procedure) . . . \$1, plus postage;

(20) certified mailing of certified copies of an order of expunction (Art. 102.006, Code of Criminal Procedure) . . . \$2, plus postage;

(21) sight orders:

(A) if the face amount of the check or sight order does not exceed \$10 (Art. 102.007, Code of Criminal Procedure) . . . not to exceed \$10;

(B) if the face amount of the check or sight order is greater than \$10 but does not exceed \$100 (Art. 102.007, Code of Criminal Procedure) . . . not to exceed \$15;

(C) if the face amount of the check or sight order is greater than \$100 but does not exceed \$300 (Art. 102.007, Code of Criminal Procedure) . . . not to exceed \$30;

(D) if the face amount of the check or sight order is greater than \$300 but does not exceed \$500 (Art. 102.007, Code of Criminal Procedure) . . . not to exceed \$50; and

(E) if the face amount of the check or sight order is greater than \$500 (Art. 102.007, Code of Criminal

1 Procedure) . . . not to exceed \$75;

2 (22) a fee for pretrial intervention program (Art.  
3 102.012, Code of Criminal Procedure) . . . not to exceed \$500;

4 (23) parking fee violations for child safety fund in  
5 municipalities with populations:

6 (A) greater than 850,000 (Art. 102.014, Code of  
7 Criminal Procedure) . . . not less than \$2 and not to exceed \$5;  
8 and

9 (B) less than 850,000 (Art. 102.014, Code of  
10 Criminal Procedure) . . . not to exceed \$5;

11 (24) an administrative fee for collection of fines,  
12 fees, restitution, or other costs (Art. 102.072, Code of Criminal  
13 Procedure) . . . not to exceed \$2 for each transaction;

14 (25) a court reporter fee when testimony is taken:

15 (A) in a criminal court in Dallas County (Sec.  
16 25.0593, Government Code) . . . \$3;

17 (B) in a county criminal court of appeals in  
18 Dallas County (Sec. 25.0594, Government Code) . . . \$3;

19 (C) in a county court at law in McLennan County  
20 (Sec. 25.1572, Government Code) . . . \$3; and

21 (D) in a county criminal court in Tarrant County  
22 (Sec. 25.2223, Government Code) . . . \$3;

23 (26) a speedy trial filing fee in El Paso County (Sec.  
24 54.745, Government Code) . . . \$100;

25 (27) costs for use of magistrate in Brazos County  
26 (Sec. 54.1116, Government Code) . . . not to exceed \$50;

27 (28) an administrative fee for participation in

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S.B. No. 291

1 certain community supervision programs (Sec. 76.015, Government  
2 Code) . . . not less than \$25 and not more than \$40 per month;

3 (29) in family matters:

4 (A) issuing writ of withholding (Sec. 8.262,  
5 Family Code) . . . \$15;

6 (B) filing copy of writ of withholding to  
7 subsequent employer (Sec. 8.267, Family Code) . . . \$15;

8 (C) issuing and delivering modified writ of  
9 withholding or notice of termination (Sec. 8.302, Family  
10 Code) . . . \$15;

11 (D) issuing and delivering notice of termination  
12 of withholding (Sec. 8.303, Family Code) . . . \$15;

13 (E) issuance of change of name certificate (Sec.  
14 45.106, Family Code) . . . \$10;

15 (F) protective order fee (Sec. 81.003, Family  
16 Code) . . . \$16;

17 (G) filing suit requesting adoption of child  
18 (Sec. 108.006, Family Code) . . . \$15;

19 (H) filing fees for suits affecting parent-child  
20 relationship (Sec. 110.002, Family Code):

21 (i) suit or motion for modification (Sec.  
22 110.002, Family Code) . . . \$15;

23 (ii) motion for enforcement (Sec. 110.002,  
24 Family Code) . . . \$15;

25 (iii) notice of application for judicial  
26 writ of withholding (Sec. 110.002, Family Code) . . . \$15;

27 (iv) motion to transfer (Sec. 110.002,



Family Code) . . . \$15;

(v) petition for license suspension (Sec. 110.002, Family Code) . . . \$15;

(vi) motion to revoke a stay of license suspension (Sec. 110.002, Family Code) . . . \$15; and

(vii) motion for contempt (Sec. 110.002, Family Code) . . . \$15;

(I) order or writ of income withholding to be delivered to employer (Sec. 110.004, Family Code) . . . not to exceed \$15;

(J) filing fee for transferred case (Sec. 110.005, Family Code) . . . \$45;

(K) filing a writ of withholding (Sec. 158.319, Family Code) . . . \$15;

(L) filing a request for modified writ of withholding or notice of termination (Sec. 158.403, Family Code) . . . not to exceed \$15;

(M) filing an administrative writ to employer (Sec. 158.503, Family Code) . . . not to exceed \$15; and

(N) genetic testing fees in relation to a child born to a gestational mother (Sec. 160.762, Family Code) . . . as assessed by the court;

(30) in juvenile court:

(A) fee schedule for deferred prosecution services (Sec. 53.03, Family Code) . . . maximum fee of \$15 a month;

(B) a teen court administration fee (Sec. 54.032,

S.B. No. 291

1 Family Code) . . . not to exceed \$10;  
2 (C) court costs for juvenile probation diversion  
3 fund (Sec. 54.0411, Family Code) . . . \$20;  
4 (D) a juvenile delinquency prevention fee (Sec.  
5 54.0461, Family Code) . . . \$5; and  
6 (E) a court fee for child's probationary period  
7 (Sec. 54.061, Family Code) . . . not to exceed \$15 a month;  
8 (31) a court reporter service fee if the courts have  
9 official court reporters (Sec. 51.601, Government Code) . . . \$15;  
10 (32) administrative fee on dismissal of charge of  
11 driving with an expired motor vehicle registration (Sec. 502.407,  
12 Transportation Code) . . . not to exceed \$10;  
13 (33) administrative fee on dismissal of charge of  
14 driving with an expired driver's license (Sec. 521.026,  
15 Transportation Code) . . . not to exceed \$10;  
16 (34) administrative fee on remediation of charge of  
17 driving with an expired inspection certificate (Sec. 548.605,  
18 Transportation Code) . . . not to exceed \$10;  
19 (35) administrative fee for failure to appear for a  
20 complaint or citation on certain offenses (Sec. 706.006,  
21 Transportation Code) . . . \$30 for each violation;  
22 (36) administrative fee for failure to pay or satisfy  
23 certain judgments (Sec. 706.006, Transportation Code) . . . \$30;  
24 (37) fee paid on filing a petition for an order of  
25 nondisclosure of criminal history record information in certain  
26 cases (Sec. 411.081, Government Code) . . . \$28; ~~and~~  
27 (38) on a finding that an animal's owner has cruelly

S.B. No. 291

1 treated the animal, court costs including:

2 (A) investigation (Sec. 821.023, Health and  
3 Safety Code) . . . actual costs;

4 (B) expert witnesses (Sec. 821.023, Health and  
5 Safety Code) . . . actual costs;

6 (C) housing and caring for the animal during its  
7 impoundment (Sec. 821.023, Health and Safety Code) . . . actual  
8 costs;

9 (D) conducting any public sale ordered by the  
10 court (Sec. 821.023, Health and Safety Code) . . . actual costs;  
11 and

12 (E) humanely destroying the animal if  
13 destruction is ordered by the court (Sec. 821.023, Health and  
14 Safety Code) . . . actual costs;

15 (39) the costs of a criminal magistrate if the court  
16 determines that the nonprevailing party is able to defray the  
17 costs:

18 (A) in Bexar County (Sec. 54.913, Government  
19 Code) . . . magistrate's fees;

20 (B) in Dallas County (Sec. 54.313, Government  
21 Code) . . . magistrate's fees;

22 (C) in Lubbock County (Sec. 54.883, Government  
23 Code) . . . magistrate's fees;

24 (D) in Tarrant County (Sec. 54.663, Government  
25 Code) . . . magistrate's fees;

26 (E) in Travis County (Sec. 54.983, Government  
27 Code) . . . magistrate's fees; and

1                    (F) in Williamson County (Sec. 54.958,  
2 Government Code) . . . expense of the magistrate; and  
3                    (40) a collection fee, if authorized by the  
4 commissioners court of a county or the governing body of a  
5 municipality, for certain debts and accounts receivable, including  
6 unpaid fines, fees, court costs, forfeited bonds, and restitution  
7 ordered paid (Art. 103.0031, Code of Criminal Procedure) . . . 30  
8 percent of an amount more than 60 days past due.

9            SECTION 10. Section 103.022, Government Code, is amended to  
10 read as follows:

11            Sec. 103.022. MISCELLANEOUS FEES AND COSTS. The following  
12 fees and costs shall be paid or collected as follows:

13                    (1) fee for use of an interpreter in civil cases (Sec.  
14 21.051, Civil Practice and Remedies Code) . . . \$3;

15                    (2) fee for custodian of a record compelled by a court  
16 to produce or certify the record (Sec. 22.004, Civil Practice and  
17 Remedies Code) . . . \$1;

18                    (3) cost for use of certified copy of the record of  
19 names of all trustees appointed by any state organization of a  
20 religious congregation in this state (Sec. 126.012, Civil Practice  
21 and Remedies Code) . . . \$1.50;

22                    (4) filing of a restitution lien (Art. 42.22, Code of  
23 Criminal Procedure) . . . \$5;

24                    (5) issuance and service of a warrant of arrest for  
25 certain offenses if prescribed by the municipality (Art. 45.203,  
26 Code of Criminal Procedure) . . . not to exceed \$25;

27                    (6) filing a certified copy of a judicial finding of

fact and conclusion of law if charged by the secretary of state  
(Sec. 51.905, Government Code) . . . \$15;

(7) costs of determining and sending information  
concerning the identity of the court with continuing, exclusive  
jurisdiction if charged by the bureau of vital statistics (Sec.  
108.006, Family Code) . . . reasonable fee;

(8) initial operations fee paid to domestic relations  
office on filing of a suit affecting the parent-child relationship,  
if authorized by the administering entity (Sec. 203.005, Family  
Code) . . . not to exceed \$15;

(9) initial child support service fee paid to domestic  
relations office in certain counties on filing of a suit affecting  
the parent-child relationship, if authorized by the administering  
entity (Sec. 203.005, Family Code) . . . not to exceed \$36;

(10) service fee for services of a domestic relations  
office, if authorized by the administering entity (Sec. 203.005,  
Family Code) . . . not to exceed \$3 per month;

(11) fee from a Title IV-D agency for each item of  
process to each individual on whom service is required, including  
service by certified or registered mail (Sec. 231.202, Family  
Code) . . . the amount that a sheriff or constable may charge for  
serving process under Section 118.131, Local Government Code;

(12) a copy of records of spousal or child support and  
fees administered in Dallas County if authorized by the local  
administrative judge (Sec. 152.0634, Human Resources  
Code) . . . not to exceed \$2 per page;

(13) collecting, disbursing, or monitoring spousal or

S.B. No. 291

1 child support payments in Dallas County (Sec. 152.0635, Human  
2 Resources Code) . . . not to exceed \$3 per month;

3 (14) fee for adoption, family, and home study  
4 investigations in an adoption in Dallas County (Sec. 152.0635,  
5 Human Resources Code) . . . not to exceed \$250;

6 (15) certain transactions with respect to a suit for  
7 spousal support or a suit affecting the parent-child relationship  
8 in Harris County, if authorized by the county commissioners court  
9 (Sec. 152.1074, Human Resources Code) . . . not to exceed \$2 per  
10 transaction;

11 (16) child support service fee in Smith [~~Nueces~~]  
12 County[, ] if [~~authorized by the county commissioners~~] court allows  
13 assessment by child support office (Sec. 152.2183 [~~152.1844~~], Human  
14 Resources Code) . . . not to exceed \$2.50 a [~~\$5 per~~] month;

15 (17) services by the offices of the sheriff and  
16 constables (Sec. 118.131, Local Government Code) . . . amount set  
17 by county commissioners court;

18 (18) cost paid by each surety posting the bail bond for  
19 an offense other than a misdemeanor punishable by fine only under  
20 Chapter 17, Code of Criminal Procedure, for the felony prosecutor  
21 supplement fund and the fair defense account (Sec. 41.258,  
22 Government Code) . . . \$15, provided the cost does not exceed \$30  
23 for all bail bonds posted at that time for an individual and the  
24 cost is not required on the posting of a personal or cash bond;

25 (19) appraiser's fee as court costs for determining  
26 the fair value of ownership interests of owners who have perfected  
27 their rights (Sec. 10.365, Business Organizations Code) . . . a

1 reasonable fee;

2           (19-a) an appraiser's fee as court costs for  
3 determining the fair value of the shares of the shareholders  
4 entitled to payment for their shares in a real estate investment  
5 trust (Sec. 25.20, Art. 6138A, Vernon's Texas Civil  
6 Statutes) . . . a reasonable fee;

7           (19-b) an appraiser's fee as court costs for  
8 determining the fair value of the shares of the shareholders  
9 entitled to payment for their shares by the existing, surviving, or  
10 new corporation (Art. 5.12, Texas Business Corporation  
11 Act) . . . a reasonable fee; [and]

12           (20) to participate in a court proceeding in this  
13 state, a nonresident attorney fee for civil legal services to the  
14 indigent (Sec. 82.0361, Government Code) . . . \$250 except as  
15 waived or reduced under supreme court rules for representing an  
16 indigent person;

17           (21) a witness's fee for one day to be paid by the party  
18 who subpoenas the witness (Sec. 22.001, Civil Practice and Remedies  
19 Code) . . . \$10;

20           (22) on a party's appeal of a final decision in a  
21 contested case, the cost of preparing the original or a certified  
22 copy of the record of the agency proceeding, if required by the  
23 agency's rule, as a court cost (Sec. 2001.177, Government  
24 Code) . . . as assessed by the court, all or part of the cost of  
25 preparation;

26           (23) the costs of arbitration in cases between a  
27 juvenile board and a school district that fail to agree on a

S.B. No. 291

1 memorandum of understanding related to the juvenile justice  
2 alternative education program (Sec. 37.011, Education  
3 Code) . . . each party its pro rata share of the costs;

4 (24) compensation to a referee in juvenile court in  
5 Wichita County taxed as costs if the judge determines the parties  
6 are able to pay the costs (Sec. 54.403, Government Code) . . . as  
7 determined by the judge;

8 (25) the expense of preserving the record as a court  
9 cost in Brazos County if imposed on a party by the referring court  
10 or magistrate (Sec. 54.1111, Government Code) . . . actual cost;

11 (26) a filing fee or recording fee for each page of a  
12 legal paper presented for filing or recording that fails to meet  
13 certain requirements regarding paper size, weight, substance,  
14 headings, legibility, the presence of typed or printed names under  
15 each signature, and number and size of riders or attachments (Sec.  
16 191.007, Local Government Code) . . . twice the regular filing fee  
17 or recording fee provided by statute for that page, rider, or  
18 attachment;

19 (27) a processing fee as authorized by the  
20 commissioners court for the payment by credit card of a fee, court  
21 cost, or other charge processed by a county or precinct officer  
22 (Secs. 132.002 and 132.003, Local Government Code) . . . an amount  
23 reasonably related to the expense incurred by the county or  
24 precinct officer but not to exceed five percent of the amount of the  
25 fee, court cost, or other charge being paid;

26 (28) a processing fee as authorized by the governing  
27 body of the municipality for the payment by credit card of a fee,



court cost, or other charge processed by a municipal official  
(Secs. 132.002 and 132.003, Local Government Code) . . . an amount  
reasonably related to the expense incurred by the municipal  
official but not to exceed five percent of the amount of the fee,  
court cost, or other charge being paid;

(29) a handling fee, if authorized by the  
commissioners court under Section 132.002, Local Government Code,  
for electronically processing the payment of a fee, fine, court  
cost, or other charge (Secs. 132.002 and 132.003, Local Government  
Code):

(A) charged at a flat rate that does not exceed \$5  
for each payment transaction; or

(B) charged at a rate reasonably related to the  
expense incurred in processing a payment and that does not exceed  
five percent of the amount of the fee, court cost, or other charge  
being paid;

(30) a fee, if authorized by the commissioners court,  
collected by a county or precinct officer on behalf of the county  
from a person making payment by credit card of a fee, court cost, or  
other charge (Sec. 132.003, Local Government Code) . . . an amount  
equal to the amount of any transaction fee charged to the county by  
a vendor providing services in connection with payments made by  
credit card;

(31) a fee for sale of securities under an offering  
that has not been registered, if the transaction or securities are  
not exempt (Art. 581-35-2, Vernon's Texas Civil Statutes) . . . as  
set by the securities commissioner or court, but not to exceed six

1 times the amount that would have been paid if the issuer had filed  
 2 an application to register the securities and paid the fee  
 3 prescribed based on the amount of sales made in this state within  
 4 the prior three years, plus interest on that amount from the date of  
 5 the first sale made in this state until the date the fee is paid; and  
 6 (32) a fee for mailing an order vacating or staying an  
 7 order suspending a license to the appropriate licensing authority  
 8 (Sec. 232.013, Family Code) . . . \$5 for each order mailed.

9 SECTION 11. Chapter 104, Government Code, is repealed.

10 SECTION 12. (a) Sections 1 through 10 of this Act amend  
 11 provisions in Chapters 101, 102, and 103, Government Code, as  
 12 amended by the Final Report Regarding Actions to Conform the  
 13 Statutory Index of Court Fees and Costs to the Acts of the 78th  
 14 Legislature. The report was effective September 3, 2004, and was  
 15 prepared and published in accordance with Chapter 104, Government  
 16 Code, as it existed before the effective date of this Act. The  
 17 report is available at the Texas Legislative Council's Internet  
 18 website under the heading "Reports/Documents" at  
 19 <http://www.tlc.state.tx.us/tlc.htm>. At that website the report is  
 20 identified as the "Final Report" under "Court Fees Project."

21 (b) The legislature finds that the index of court fees and  
 22 costs provided by Chapters 101, 102, and 103, Government Code, is  
 23 complete with the passage of this Act and the publication of the  
 24 report. The legislature also finds that additional reports under  
 25 Chapter 104, Government Code, to update the index in the future are  
 26 no longer necessary because the updating will occur under the Texas  
 27 Legislative Council's permanent statutory revision program. The

S.B. No. 291

1 council is required, as part of that program, under Subdivision  
2 (4), Subsection (c), Section 323.007, Government Code, to formulate  
3 and implement a continuous revision program of all Texas statutes,  
4 which include the index of court fees and costs.

5 SECTION 13. If any provision of this Act conflicts with a  
6 statute enacted by the 79th Legislature, Regular Session, 2005, the  
7 statute controls.

8 SECTION 14. This Act takes effect September 1, 2005.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 291 passed the Senate on  
April 14, 2005, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 291 passed the House on  
May 25, 2005, by a non-record vote.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**May 12, 2005**

**TO:** Honorable Will Hartnett, Chair, House Committee on Judiciary

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: SB291** by West, Royce (Relating to the index of court fees and costs.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
---

The bill would update the statutory index of court fees and costs to include those currently located in other existing statutes but that previously had not been listed in the comprehensive index. The bill would also repeal the requirement that the Texas Legislative Council review all statutes and prepare a report to update the index of court fees and costs because the report has been published, and enactment of the bill would reflect the findings shown in that report. In addition, maintaining the completeness of the list would exist as a permanent statutory requirement of the Texas Legislative Council. The bill would take effect September 1, 2005, and in any conflict with other statutes, the index of fees would prevail.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 103 Legislative Council, 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 665 Juvenile Probation Commission, 696 Department of Criminal Justice

**LBB Staff:** JOB, DLBa, LG

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**March 21, 2005**

**TO:** Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: SB291** by West, Royce (Relating to the index of court fees and costs.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
---

The bill would update the statutory index of court fees and costs to include those currently located in other existing statutes but that previously had not been listed in the comprehensive index. The bill would also repeal the requirement that the Texas Legislative Council review all statutes and prepare a report to update the index of court fees and costs because the report has been published, and enactment of the bill would reflect the findings shown in that report. In addition, maintaining the completeness of the list would exist as a permanent statutory requirement of the Texas Legislative Council. The bill would take effect September 1, 2005, and in any conflict with other statutes, the index of fees would prevail.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 103 Legislative Council, 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 665 Juvenile Probation Commission, 696 Department of Criminal Justice

**LBB Staff:** JOB, DLBa, LG

3/4cert

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 291 passed the Senate on  
April 14, 2005, by the following vote: Yeas 31,  
Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 291 passed the House on  
May 25, 2005, by <sup>^</sup>the ~~following~~ vote: Yeas ~~\_\_\_\_\_~~,  
Nays ~~\_\_\_\_\_~~ <sub>↙</sub> a non-record vote.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

S.B. No. 291

By WN

A BILL TO BE ENTITLED

AN ACT:

relating to the index of court fees and costs.

<u>JAN 27 2005</u>	Filed with the Secretary of the Senate	<u>JURISPRUDENCE</u>
<u>FEB 07 2005</u>	Read and referred to Committee on _____	
<u>MAR 29 2005</u>	Reported favorably _____	
	Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.	
	Ordered not printed	
<u>APR 14 2005</u>	Laid before the Senate	
	Senate and Constitutional Rules to permit consideration suspended by:	{ unanimous consent _____ yeas, _____ nays
<u>APR 14 2005</u>	Read second time, _____, and ordered engrossed by:	{ <del>unanimous consent</del> a viva voce vote _____ yeas, _____ nays
<u>APR 14 2005</u>	Senate and Constitutional 3 Day Rule suspended by a vote of <u>31</u> yeas, <u>0</u> nays.	
<u>APR 14 2005</u>	Read third time, _____, and passed by:	{ <del>A viva voce vote</del> <u>31</u> yeas, <u>0</u> nays

Latey Spaw  
SECRETARY OF THE SENATE

OTHER ACTION:

April 14, 2005 Engrossed  
\_\_\_\_\_  
Sent to House

Engrossing Clerk Mardi Alexander

<u>APR 14 2005</u>	Received from the Senate	
<u>APR 18 2005</u>	Read first time and referred to Committee on <u>Judiciary</u>	
<u>MAY 17 2005</u>	Reported _____ favorably ( <del>amended</del> ) ( <del>substituted</del> )	
<u>MAY 18 2005</u>	Sent to Committee on ( <del>Calendar</del> ) (Local & Consent Calendars)	
<u>MAY 25 2005</u>	Read second time ( <del>comm. subst.</del> ) ( <del>amended</del> ) passed to third reading ( <del>failed</del> ) by a (non-record vote) ( <del>record vote of _____ yeas, _____ nays, _____ present, not voting</del> )	
	Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of _____ yeas, _____ nays, _____ present, not voting.	
<u>MAY 25 2005</u>	Read third time ( <del>amended</del> ); finally passed ( <del>failed to pass</del> ) by a (non-record vote) ( <del>record vote of _____ yeas, _____ nays, _____ present, not voting</del> )	
<u>MAY 25 2005</u>	Returned to Senate.	<u>Robert Haney</u> CHIEF CLERK OF THE HOUSE
<u>MAY 25 2005</u>	Returned from House without amendment.	
	Returned from House with _____ amendments.	
	Concurred in House amendments by a viva voce vote _____ yeas, _____ nays.	

\_\_\_\_\_ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

\_\_\_\_\_ Senate conferees instructed.

\_\_\_\_\_ Senate conferees appointed: \_\_\_\_\_, Chairman; \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_

\_\_\_\_\_ House granted Senate request. House conferees appointed: \_\_\_\_\_, Chairman;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_ Conference Committee Report read and filed with the Secretary of the Senate.

\_\_\_\_\_ Conference Committee Report adopted on the part of the House by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

\_\_\_\_\_ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

**OTHER ACTION:**

\_\_\_\_\_ Recommitted to Conference Committee

\_\_\_\_\_ Conferees discharged.

\_\_\_\_\_ Conference Committee Report failed of adoption by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

05 MAY 17 PM 9:47  
HOUSE OF REPRESENTATIVES